

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

LINDA THORNTON,

Plaintiff,

V.

**FLAVOR HOUSE PRODUCTS, INC., and
FRANKLIN D. WILLIAMS, JR.,**

Defendants.

Civil Action No.:
1:07 cv-712-WKW

PLAINTIFF’S EVIDENTIARY SUBMISSION IN RESPONSE TO
DEFENDANT FLAVOR HOUSE PRODUCTS, INC.’S AND DEFENDANT FRANKLIN
WILLIAMS’ MOTIONS FOR SUMMARY JUDGMENT

COMES NOW the plaintiff, Linda Thornton, by and through her undersigned counsel, and submits the following evidentiary material in opposition to the Defendants' Motions for Summary Judgment:

- A. Declaration of Linda Thornton dated September 2, 2008;
- B. Notes dated April 9, 2005 regarding meeting with Linda Thornton and Melvin Hutchins;
- C. Deposition of Dr. Richard Bendinger taken on June 11, 2008, with exhibits;
- D. Counseling Report for Johnny Millsap dated June 28, 2004;
- E. Complaint for Divorce of Ronnie Jean Williams vs. Franklin Williams, Jr., dated March 31, 2006;
- F. Criminal charges of Franklin Williams;
- G. Parole Report of Franklin Williams;

- H. Personnel file of Jewel Silvey;
- I. Blood pressure related absence reports of Linda Thornton dated April 6, 2006, and April 17, 2006;
- J. Documentation forms for Catherine Long and Tamekia Cooke;
- K. Vacation Request forms for Tommy Nance;
- L. Daily Label Operator Check Sheet of Linda Thornton dated May 4, 2006;
- M. Mary Ann Boyer Errata Sheets for deposition taken on May 13, 2008;
- N. Employee Status Change for Linda Thornton regarding Level 4 pay raise dated May 15, 2006;
- O. Policies against harassment dated 2004-2005.

Respectfully submitted,

s/ Temple D. Trueblood
Ann C. Robertson
Temple D. Trueblood
Attorneys for the Plaintiff

OF COUNSEL:

WIGGINS, CHILDS, QUINN & PANTAZIS, L.L.C.
The Kress Building
301 19th Street North
Birmingham, Alabama 35203
(205) 314-0500

Bobbie S. Crook
367 South St. Andrews Street
Dothan, Alabama 36301
(334) 671-8062

CERTIFICATE OF SERVICE

I hereby certify that, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Jennifer F. Swain
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
1600 s Wachovia Tower
420 North Twentieth Street
Birmingham, Alabama 35203

Steadman S. Shealy, Jr.
Richard E. Crum
M. Russ Goodman
Shealy, Crum & Pike, P.A.
P.O. Box 6346
Dothan, Alabama 36302-6346

This 3rd day of September, 2008.

s/ Temple D. Trueblood
OF COUNSEL

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

LINDA THORNTON,

Plaintiff,

v.

**FLAVOR HOUSE PRODUCTS, INC., and
FRANKLIN D. WILLIAMS, JR.,**

Defendants.

*
*
*
*
*
*
*
*
*

**Civil Action No.:
1:07 cv-712-WKW**

DECLARATION OF LINDA THORNTON

1. I am the plaintiff in the above styled matter. I am over the age of eighteen and have personal knowledge of all matters stated herein.

2. I have reviewed Mary Ann Boyer's August 8, 2008, declaration and attached exhibits submitted as Exhibit "K" to Defendants' summary judgment brief. The list of Label Operator's provided in Exhibit "A" is not an accurate list of Label Operators working at the time the "pay for skills" program was implemented. Several of the employees listed as Label Operators were no longer employed with Flavor House when the "pay for skills" program was put into effect. With regards to the "pay for skills" tests provided in Exhibit "A", one employee's tests were taken after I was no longer at Flavor House, and the other employee had only been a Label Operator for a short period of time when the "pay for skills" came into effect, and unlike me, he was not able to run all of the machines.

3. While I often heard Frank Williams and other employees cussing, I never heard the male employees cuss out another male employee, nor did I hear them direct their cursing at another male employee like I heard them cussing directly at the female employees, including myself.

Further, I never heard Williams, or any male employee, call any other male employee derogatory names like the names he called female employees such as "bitch," "stupid fucking bitch," "goddamn mother-fucking bitch." Williams would direct his hostile and demeaning language directly at me and other female employees, but not at the male employees. Additionally, Williams never threw things at male employees like he did at female employees.

4. During the first year of my employment, I applied for several Label Operator positions and was passed over repeatedly. These positions were given to males, who were temporary employees with less or no experience. There were no sign up sheets for the positions and employees, including myself, had to ask for the position if we wanted it. I asked Melvin Hutchins, Manager, and Kenneth Tew, Supervisor, about the positions and was told that I could not have the position. Instead, they would hire male temporary employees, or they would hire males directly off of the street who did not work out. Although he had no mechanical experience, Frank Williams was hired directly off the street as a Label Operator. I had been working for the company for nearly a year and had mechanical experience, but was still continuously passed over for a Label Operator's position. I was told that I had to take an aptitude test for the position; however, the men were not told they had to take an aptitude test. I was required to submit a resume listing mechanical experience before I was given a Label Operator's position, but male employees were not required to submit resumes.

5. Although the male mechanics would shove me out of the way, curse at me and treat me in a degrading manner when it would take me a few minutes to adjust my machine, they did not treat the male label operators like this when they took more than five minutes to adjust their machine. When the male operators took more than five minutes to adjust their machine, the mechanics would not call for Hutchins or Cassidy, they would leave the male operators alone unless

they called for help.

6. I reported to Mary Ann Boyer, Director of Operations, that the mechanics cursed at and yelled at the female employees, including me, and that they called the female employees, including me, derogatory names. I reported to Boyer that the mechanics would not allow female operators, including myself, to make minor repairs on the machines, and they would shove me out of the way and take over my machine, but would not do or say anything when male employees made the same or similar repairs.

7. Boyer's typical response to my complaints was to tell me that I would have to "deal with it" as she had learned to "deal with it." Boyer then said it was a "southern thing" and a "gentlemen" thing to do. Boyer then told me that because her daughter was from the north she had an attitude with the men in the south. Boyer then gave me an example of discrimination she had do "deal with" in the company, telling me that Boyer was in a management meeting with Richard Holland, HR manager, and Tommy Nance, Human Resources, and two other outside male contractors in the conference room. The two contractors would not answer Boyer's questions directly. Instead, they would answer to Nance or Holland.

8. I reported, to Supervisor Melvin Hutchins, that Tom Beard was making sexually harassing comments to me. After my complaints to Hutchins, the harassment did not stop and only got worse. The sexually harassing comments continued until Beard went on leave and was no longer in the plant.

9. As I explained in my deposition and have complained about to supervisors and management on multiple occasions, Williams was constantly bragging about his sex life to me or in front of me. In addition to the comments I have already related, Williams discussed, for several

months, how he was going to "fuck" the personnel resource girl. He told me that he already had her address and planned to invite her to the Christmas party along with his wife so that there would be two people at the same table that he was "fucking." I reported this incident to Hutchins. On several occasions, Williams told me that he and his wife would "fuck" in the car all night until it was time to get a shower and go to work. Williams stated that his wife was "fucking a nigger" on the sanitation shift. He then commented that he was not racist, but that he was not raised to believe that the races should mix. On several occasions, Williams bragged that even though his girlfriend didn't want to have a baby girl, he was going to "fuck" her enough that she would get pregnant. Williams told me that his first wife had said that if she had known that he wanted "blow jobs", she would have done that for him. Williams was always commenting about how "hard" he could get and how long he could stay "hard". He also said that he had to have sex everyday. He told me that he did not enjoy pornography and that he did not "please" himself sexually, and that is why he had to have sex all the time. These comments and others like them were just part of Williams' everyday conversation at work. When I told him that I did not want to hear anything else about his sex life, Williams would ignore me and continue to talk. One time, when I told him that I did not want to hear about his sex life, Williams told me that he had to talk to me about it because he couldn't talk to his friend Stephanie because she was "fucking" everyone in the plant, "she's a whore, too."

10. One of the times that I reported Williams' inappropriate sex talk and cursing to Hutchins was prior to my February 16, 2006, complaint to Hutchins and Jordan that Williams was telling other employees that I had called him a child molester. I brought these complaints up again when I made my February 16, 2006, complaint to Hutchins and Jordan.

11. After the last altercation with Williams in June 2006, I was moved to the Line 5 label

machine; however, this was still in the same department with Williams and only a few feet away from him. This move afforded me no protection from Williams as he was a Team Leader and free to roam anywhere in the plant.

12. I had worked on an old machine on Line 3 for several months and when the new machine finally came in for Line 3 then management moved me to Line 5, back on an old machine. This move took me away from the new Line 3 label machine I had been waiting for, but still did not offer me protection from Williams. I felt like I was once again being punished.

13. When training with Williams in 2005, he started talking about being a sex offender saying he had seven felony counts.

14. Williams told temporary employees to complete an application and when they said they couldn't because of their criminal record, he would tell them about his record and that he got a job with the company.

15. Williams told me that he got a bad deal and if we had another governor, he would get a pardon. I knew that Williams was talking about the sexual abuse convictions and I told him not to talk about these crimes. I then asked Melvin Hutchins to make Williams stop discussing his criminal history at work.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on September 2nd, 2008, in Dothan, Alabama.

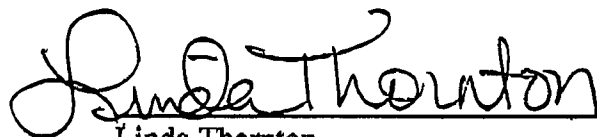

Linda Thornton

EXHIBIT B

Linda Thornton – issue with Fannie Ash

Linda Thornton w/Melvin Hutchins 4-9-05

Fannie asked her to clean some brushes off of Line 1

Linda said when she went to third shift, there were some items from the machine sitting in a bucket on Line 2

Words and especially tone Fannie is using with her employees

10:45 PM – 1 AM they were working on rework

They have brought the issue on the breaks to Fannie & they tried to change it, she said no, ppl are coming in at 7 AM and going to break before people at 6 AM, they can't swap breaks

Joe McGriff - stacker

James Porter – Line 2

These guys said Fannie was just telling her that, she doesn't give them a half point for being late

They don't know it, but I'm going to start

Late march, early February – Joe came in 45 minutes late

Clocking out for break then warming up your food, she said she hasn't eaten here in 4 years

Cleaning up sink that can line uses, she doesn't use, this was a day she was going to her new house to get cable & other things setup

EXHIBIT C

FREEDOM COURT REPORTING

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE MIDDLE DISTRICT OF ALABAMA
3 SOUTHERN DIVISION
4

5 CIVIL ACTION NUMBER 107cv-712-WKW

6 LINDA THORNTON,

7
8 Plaintiff(s),

9 v.

10 FLAVOR HOUSE PRODUCTS, INC.,

11
12 Defendant(s).

13
14 DEPOSITION TESTIMONY OF:

15 RICHARD L. BENDINGER, JR., DO

16
17 COPY

18
19
20 Commissioner:

21 Renny D. McNaughton

22 June 11, 2008

23 Dothan, Alabama

FREEDOM COURT REPORTING**S T I P U L A T I O N**

IT IS STIPULATED AND AGREED by and between the parties through their respective counsel that the deposition of Dr. Bendinger, may be taken before Renny D. McNaughton, Court Reporter and Notary Public, State at Large, at the offices of Bobbie Crook, Dothan, Alabama, on the 11th day of June, 2008, commencing at approximately 4:15 p.m.

IT IS FURTHER STIPULATED AND AGREED that the signature to and the reading of the deposition by the witness is waived, the deposition to have the same force and effect as if full compliance had been had with all laws and rules of Court relating to the taking of depositions.

IT IS FURTHER STIPULATED AND AGREED that it shall not be necessary for any objections to be made by counsel to any questions, except as to form or leading question and that counsel for the parties may make objections and assign grounds at

FREEDOM COURT REPORTING

1 the time of trial or at the time said
2 deposition is offered in evidence, or prior
3 thereto.

4 In accordance with Rule 5(d) of the
5 Alabama Rules of Civil Procedure, as
6 amended, effective May 15, 1988, I, Renny D.
7 McNaughton, am hereby delivering to Ms.
8 Swain the original transcript of the oral
9 testimony taken the 11th day of June, 2008,
10 along with exhibits.

11 Please be advised that this is the
12 same and not retained by the Court Reporter,
13 nor filed with the Court.

14
15
16
17
18
19
20
21
22
23

FREEDOM COURT REPORTING

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

I N D E X

EXAMINATION BY:

PAGE NO.

Ms. Swain

8

Ms. Robertson

86

E X H I B I T S

No. 1

89

FREEDOM COURT REPORTING

1 A P P E A R A N C E S

2 FOR THE DEFENDANT (S):

3 Jennifer F. Swain

4 Baker, Donelson, Bearman, Caldwell &

5 Berkowitz, PC

6 Wachovia Tower, 420 North Twentieth Street,

7 Suite 1600

8 Birmingham, Alabama 35203-5202

9

10 FOR THE PLAINTIFF (S):

11 Ann C. Robertson

12 Wiggins, Childs, Quinn & Pantazis, LLC

13 The Kress Building

14 301 Nineteenth Street North

15 Birmingham, Alabama 35203

16 Bobbie S. Crook

17 Attorney at Law

18 367 S. St. Andrews St.

19 Dothan, Alabama 36301

20

21 Also Present: Linda Thornton

22

23

367 VALLEY AVENUE
(205) 397-2397 BIRMINGHAM, ALABAMA 1-800-373-3660

FREEDOM COURT REPORTING

1 I, Renny D. McNaughton, a Court
2 Reporter of Greenville, Alabama, and a
3 Notary Public for the State of Alabama at
4 Large, acting as Commissioner, certify that
5 on this date, pursuant to the Alabama Rules
6 of Civil Procedure, and the foregoing
7 stipulation of counsel, there came before me
8 at the offices of Bobbie Crook, Dothan,
9 Alabama, commencing at approximately 4:15
10 p.m. on the 11th day of June, 2008, Richard
11 L. Bendinger, Jr., DO, witness in the above
12 cause, for oral examination, whereupon the
13 following proceedings were had:

14
15 THE VIDEOGRAPHER: Okay. This
16 begins videotape 1 in the deposition of
17 Dr. Richard Bendinger -- tape one in the
18 matter of Linda Thornton versus Flavor
19 House Products and Franklin D. Williams,
20 Jr., case number 107-CV-712-WKW. We're
21 on the record now. The time is 4:17:15.
22 This is Wednesday, June the 11th, 2008.
23 We're at the offices of Bobbie S. Crook,

FREEDOM COURT REPORTING

1 PC, in Dothan, Alabama. My name is Joey
2 McClain representing Freedom Court
3 Reporting. Would counsel identify
4 yourself and state whom you represent.

5 MS. SWAIN: Jennifer Swain. I
6 represent defendant Flavor House
7 Products, Inc.

8 MS. ROBERTSON: And I'm Ann
9 Robertson. I represent the plaintiff,
10 Linda Thornton.

11 THE VIDEOGRAPHER: If you could
12 swear the witness.

13 (Witness Sworn.)

14 THE COURT REPORTER: Usual
15 stipulations?

16 MS. SWAIN: That's fine. Ann?

17 MS. ROBERTSON: Sure. That's
18 fine with me. I'm sure -- do you want
19 to read and sign this document? You
20 don't have to.

21 THE WITNESS: No. I don't -- I
22 don't care about it.

23 MS. ROBERTSON: Okay.

FREEDOM COURT REPORTING

1 THE WITNESS: I don't need to.

2 RICHARD LEWIS BENDINGER, JR., DO

3 (having been duly sworn, was examined and
4 testified as follows:)

5 EXAMINATION

6 BY MS. SWAIN:

7 Q Could you state your name,
8 please, for the record.

9 A Richard Lewis Bendinger, Jr.

10 Q Dr. Bendinger, my name is
11 Jennifer Swain, and I'm an attorney that
12 represents Flavor House Products, Inc., in a
13 lawsuit that was filed against it by Linda
14 Thornton. I'm going to ask you some
15 questions today about your treatment and
16 relationship with Ms. Thornton.

17 A All right.

18 Q Before I kind of get too far into
19 that, I wanted to go just briefly over your
20 educational background and qualifications.
21 Where did you receive your medical degree?

22 A Do you want me to just go
23 through -- I've got a bachelor of science

FREEDOM COURT REPORTING

1 degree from the University of Miami.

2 Q Okay.

3 A A bachelor of science degree in
4 pharmacy from Auburn University. And I went
5 to the University of Health Sciences in
6 Kansas City, osteopathic medical school.

7 Q Okay.

8 A And I did a family practice
9 internship in Atlanta, Georgia at Doctors
10 Hospital. I've been in Abbeville, Alabama
11 as a family practitioner for 24 years.

12 Q Okay.

13 A I'm board certified in family
14 practice.

15 Q Great. And you are a DO?

16 A Right.

17 MS. ROBERTSON: So is my cousin,
18 Michael Rosemoore, in Birmingham.

19 THE WITNESS: Okay.

20 A That's -- I was the 79th DO to be
21 licensed in the state.

22 Q Is that right?

23 A Yeah.

FREEDOM COURT REPORTING

1 Q Okay. And what year was that?

2 A Eighty-two.

3 Q Okay. I am going to show you,
4 Dr. Bendinger, what was provided to us by
5 your medical office in response to the
6 subpoena that was actually served by a prior
7 law firm that was representing the same
8 defendant. And you had indicated earlier
9 that there might be some subsequent notes
10 since that file has been produced. I just
11 wanted to go ahead and establish what else
12 might be in your file.

13 A Let's see. I had the progress
14 notes. I was going to look and see if I
15 could find all of them. Hold on just a
16 second.

17 Q Actually, I think, just because
18 I've been through those, I may be able to
19 help you a little bit.

20 A The main thing I was looking for
21 were the progress notes.

22 Q And this -- was this the -- would
23 this be a progress note?

FREEDOM COURT REPORTING

1 A Yeah, that would be the progress
2 note.

3 Q Okay. I can -- this may be the
4 most recent one?

5 A 6/5.

6 Q Of this year is the last one you
7 have?

8 A Uh-huh.

9 Q Okay. I have --

10 A You may have 5/12. I don't know
11 if you've got 6/5.

12 Q No. I don't even have -- I think
13 all I have is December of '07.

14 A That's why I was -- that's why I
15 mentioned to you that we had --

16 THE WITNESS: Do you have all the
17 latest ones or not?

18 MS. ROBERTSON: I have the same
19 as she does. I'm just making sure I'm
20 looking at the right ones. Are you in
21 the Family Practice?

22 THE WITNESS: That's the last.
23 That's 11/30.

FREEDOM COURT REPORTING

1 Q Well, there's one after that, I
2 believe.

3 A 12/19.

4 Q Is it 12/19?

5 A 12/19.

6 Q I've got that.

7 MS. ROBERTSON: So I've got the
8 right --

9 THE WITNESS: You should have
10 12/19.

11 MS. ROBERTSON: -- group. Yeah.
12 There's your name. I have the right
13 group.

14 A Yeah. Yeah. Okay. So these
15 would be -- you don't have anymore --

16 Q There are some that are
17 subsequent to that?

18 A Absolutely.

19 MS. ROBERTSON: Do we need
20 copies?

21 MS. SWAIN: Yeah.

22 MS. ROBERTSON: Hold on. Let me
23 get Angie to get copies.

FREEDOM COURT REPORTING

1 MS. SWAIN: Get copies for each
2 of us. Can I get two copies, one to
3 give back to him and one for you and one
4 for me.

5 THE VIDEOGRAPHER: Go off?

6 MS. SWAIN: Yeah, why don't we
7 for just one moment.

8 THE VIDEOGRAPHER: We're off at
9 4:22.

10 (Off The Record.)

11 THE VIDEOGRAPHER: We're back on
12 at 4:27.

13 BY MS. SWAIN:

14 Q Dr. Bendinger, what I have done
15 is separate from what I received from your
16 file, just the, I guess you'd call these
17 progress reports; is that right?

18 A Yes, ma'am.

19 Q And taken out the doctor's notes
20 and different things like that. And what I
21 would like to do is sort of briefly go
22 through these. I think I have them in the
23 order they were produced to me in which is

FREEDOM COURT REPORTING

1 --

2 MS. ROBERTSON: Backwards.

3 Q -- reverse chronological order,
4 so I'm going to sort of start at the bottom
5 and go forward.

6 A Sure.

7 Q If that works for you.

8 A Anything.

9 Q And the first date I have, I
10 believe, is February 28th, 2005; is that
11 right?

12 A That's the first day, right.

13 Q Okay. And that's the first time
14 you treated Ms. Thornton?

15 A Yes. Yes, ma'am.

16 Q Okay. And at that time she was
17 just coming to see you --

18 A Had a cold. A cold, sinus.

19 THE COURT REPORTER: Let her
20 finish her question before you --

21 THE WITNESS: Oh, I'm sorry.

22 THE COURT REPORTER: -- start.

23 Q Yeah. I was just going to say

FREEDOM COURT REPORTING

1 she was coming to see you at that time for a
2 sore throat?

3 A Yes.

4 Q And was there anything else that
5 you treated her for in that visit?

6 A No. I gave her just some
7 antibiotics and some medicine for nausea and
8 that was about it.

9 Q And was she on any other kinds of
10 medications when she came to you that day?

11 A Not then.

12 Q All right. And then when was the
13 next time that you treated Ms. Thornton?

14 A 7/19/05.

15 Q And what did you treat her for at
16 that time?

17 A She had fallen at work at Flavor
18 House. I guess they had sent her to their
19 primary care physician and done some x-rays,
20 put her in a splint. She'd hurt her knee.
21 And so she came up just to see what -- you
22 know, if we could do anything else for her
23 knee. And she also stated that she had the

FREEDOM COURT REPORTING

1 stomach virus that went through the entire
2 family, and she wasn't able to go to work
3 for July 7th, 8th, and 9th and so she needed
4 a note. And she was complaining of some
5 menopausal symptoms. She'd had a previous
6 hysterectomy.

7 So we took a look at her knee. She had
8 a -- about a four centimeter contusion on
9 her left knee. I also gave her some
10 medicine for pain, a note for light duty,
11 some Prednisone, and in addition for like
12 the menopausal symptoms, gave her some Paxil
13 and talked to her about the pluses and
14 minuses, the risks and benefits of estrogen
15 at that time.

16 Q What is Prednisone or what was
17 that for?

18 A Prednisone is -- is a type of
19 cortisone and she used for swelling and
20 inflammation and when you're -- it's usually
21 tolerated better than the nonsteroidal
22 anti-inflammatories like Motrin, Advil. And
23 you don't -- you can't give it as long but

FREEDOM COURT REPORTING

1 it's usually more powerful and tolerated
2 better, so, you know, gets better quicker.

3 Q Okay. And then the Lortab was
4 for the pain?

5 A For pain.

6 Q Okay. And can you read me what
7 -- I can't read what this says here.

8 A That discussed risks and benefits
9 of estrogen.

10 Q Okay.

11 A And then I put her on Paxil,
12 also.

13 Q Okay. Great. All right. And
14 then the next time you treated her was?

15 A 9/9 of '05.

16 Q And that was for?

17 A She had several complaints.
18 Elevated blood pressure, headache, nose
19 bleeds, some chronic shoulder and neck pain.
20 On the significant part of the exam she had
21 some rhinitis and sinusitis, and I gave her
22 some Nasonex necks nasal spray, some
23 Benicar, which is a blood pressure medicine,

FREEDOM COURT REPORTING

1 told her to watch her sodium and caffeine,
2 gave her something for the pain for her neck
3 and shoulder. And she came that day already
4 on Paxil, which is the
5 antidepressant/anti-anxiety agent, Premarin
6 and Nexium.

7 Q And what was she on that Paxil
8 for at the time?

9 A That was like those menopausal
10 symptoms we talked about previously.

11 Q And the Premarin was also for
12 menopause.

13 A Estrogen.

14 MS. ROBERTSON: That's what gives
15 you breast cancer.

16 MS. SWAIN: As you well know.

17 MS. ROBERTSON: As I well know.

18 Q And Nexium?

19 A It's for, like, GERD.

20 Q Like heartburn?

21 A Right.

22 Q And that day when she came in to
23 see you her blood pressure was 130 over 90?

FREEDOM COURT REPORTING

1 A Yes.

2 Q What do you consider to be the --
3 the cutoff for when blood pressure
4 medications are advised?

5 A Usually if their -- if their
6 lower number, their diastolic is much over
7 85 after you've discussed salt retention and
8 make sure they're not taking any over the
9 counter medicine, that kind of thing --
10 if -- it used to be 90 but now the studies
11 are showing that we need to be a lot more
12 aggressive about the treatment of blood
13 pressure so we start treating them a little
14 earlier. And so that's why we put her on
15 something then because it was -- even though
16 it wasn't terribly up, it was up.

17 Q Did Ms. Thornton's weight, in
18 your opinion, contribute at all to her
19 increased blood pressure -- blood pressure?

20 A Weight always has some effect,
21 you know.

22 Q Did you consider Ms. Thornton to
23 be overweight at 235 pounds?

FREEDOM COURT REPORTING

1 A At 235 pounds, she was a little
2 bit overweight.

3 Q And does smoking affect blood
4 pressure?

5 A Absolutely.

6 Q Is -- and your understanding is
7 that Ms. Thornton smoked?

8 A I didn't -- I don't -- I don't
9 recall at the time.

10 Q Okay. Do you know whether you
11 ever discussed with her weight loss or
12 stopping smoking?

13 A Yes. We discussed -- I don't
14 know about the smoking, but I know we
15 discussed weight loss because I've got -- if
16 I remember correctly that's documented
17 somewhere in there.

18 Q Okay. Well, this may shock you
19 but your handwriting is --

20 A I know is a --

21 Q -- a little bit difficult to
22 read.

23 A I know. I know. And I'm sorry.

FREEDOM COURT REPORTING

1 MS. ROBERTSON: Actually, I'm
2 having very little trouble reading it.

3 A And I'm -- and I'm sorry.

4 Q And it may be just me.

5 A You're right.

6 MS. ROBERTSON: My handwriting --
7 my handwriting is so bad that 30 minutes
8 later I can't read my own handwriting.
9 So there you go.

10 BY MS. SWAIN:

11 Q The next time you treated
12 Ms. Thornton was October 5th, 2005, it looks
13 like?

14 A Right. She came in with a knot
15 on her right wrist. She was congested,
16 needed some of her medicines refilled. She
17 told me at that time she'd had an increase
18 in her work stress. She was -- discussed
19 some sexual harassment. I don't recall
20 exactly -- I didn't write down all the
21 details of it at that point.

22 Q Do you know if you discussed the
23 details with her during that visit?

FREEDOM COURT REPORTING

1 A I think we just primarily
2 discussed that she was having a difficult
3 time at work and being harassed at work but
4 not the specific details of who was doing it
5 or anything like.

6 Q What does that say after it says
7 "being harassed," what is the next thing it
8 says right there?

9 A Discussed with patient.

10 Q Oh, okay.

11 A Anyway, the -- she had sinusitis.
12 She had a -- a cyst on her hand, about one
13 centimeter on the palm side of her hand. We
14 gave her an antibiotic, some Keflex, an
15 antihistamine decongestant for drainage,
16 something for cough, told her to continue
17 the Paxil, and I give her something for
18 pain -- for shoulder pain.

19 Q That's the Lortab --

20 A Right.

21 Q -- for that?

22 A Uh-huh.

23 Q Excuse me. And at this visit her

FREEDOM COURT REPORTING

1 blood pressure was 140 over 80; is that
2 right?

3 A That's right.

4 Q So the 80 is better but the 140
5 is worse and --

6 A 140 is kind of right on the --
7 right on the -- the border of where you
8 would probably -- at this point you'd
9 probably treat. And I would say three years
10 ago or four years ago, this is three years
11 ago, but we're more aggressive even now than
12 we were then.

13 Q So on this visit with the 140
14 over 80, did she -- did she continue any
15 blood pressure medication?

16 A We had -- we had been giving her
17 samples of Benicar and that wasn't written
18 down here but it -- you know, the entire
19 time that we had been treating we'd been
20 giving her back samples of that medicine
21 because it's expensive.

22 Q So she was still taking that?

23 A Yes, ma'am.

FREEDOM COURT REPORTING

1 Q All right. And the next time you
2 treated her it looks like November 10th,
3 2005, or was that a treatment or was that
4 just a call in?

5 A No. That was a treatment. She
6 came in and she needed a refill on her
7 medicine. She -- at that time, I'm -- I
8 don't know why the Benicar wasn't written
9 down. I usually, you know, ask them, but
10 written down was Nexium, Lortab, and Paxil.
11 And she was having some right shoulder pain
12 again that she'd come in for several times
13 before. And we gave her some -- again,
14 something for pain, some more Prednisone.
15 And she was also having -- above that is
16 bilateral heel pain. I thought she was
17 having a little tendonitis in her heels.
18 Pretty common for some -- anybody that's on
19 their feet a good bit.

20 Q Okay. The next time you treated
21 her was November 25th -- oh, I'm sorry.

22 A That's a call in.

23 Q This is just a call in?

FREEDOM COURT REPORTING

1 A Yes, ma'am.

2 Q She was just calling to get --

3 A Something for cough.

4 Q All right. And that was -- let
5 me see because I don't have this --

6 A 11/25 of '05.

7 Q Okay. And then the next time you
8 actually treated her was January 16th, 2006?

9 A Right.

10 Q Is that right?

11 A Uh-huh. She was still complaining
12 of chronic shoulder pain. She had some
13 stuff on her right lumbar -- lumbosacral LS
14 tenderness, left shoulder was popping, and I
15 diagnosed her with just a diagnosis. She --
16 she basically had some chronic back pain,
17 chronic shoulder pain, gerd, which is
18 gastroesophageal reflux disease, and gave
19 her medicine for pain. And I told her she
20 needed to come back and have a pelvic exam.
21 She'd had a hysterectomy, so she didn't need
22 a, you know, pap smear. And then we
23 scheduled her for a mammogram at the Medical

FREEDOM COURT REPORTING

1 Center on that visit.

2 Q Okay. So on that -- the meds you
3 have listed here on the right --

4 A Nexium.

5 Q -- is that what you prescribed or
6 what she was on? What are those?

7 A What she was on. Generally the
8 medicines on the right column like that are
9 what they -- they -- the nurse asks them
10 when they come in, What are you taking? Or
11 sometimes they write down the ones from
12 previous visit.

13 Q Okay. So can you tell -- so
14 she -- then down here would be in the middle
15 of the page is what you put her on from this
16 visit?

17 A On this visit what I gave her was
18 some additional pain medicine.

19 Q That was the Lortab?

20 A And that was the only -- right.
21 That was the only medicine that she was
22 prescribed on this visit. The rest -- rest
23 of the time we ordered a mammogram and told

FREEDOM COURT REPORTING

1 her that she needed to come back for, you
2 know, a female exam.

3 Q Okay. And what does this mean
4 here where it says --

5 A Complaint of, C-O.

6 Q Okay. So complaint of patient,
7 needs meds refilled?

8 A Refilled. That was really the
9 reason she was there was just to get that
10 Lortab refilled.

11 Q Okay. The next visit looks like
12 -- well, this one -- is this out of order or
13 is that the wrong date or do you know?

14 A I think whoever wrote that didn't
15 write '06 and wrote '05. That's the only
16 thing I can figure..

17 Q But you think it probably was
18 '06?

19 A I think probably it was '06. I
20 didn't alter it. But that's -- that was --
21 when I looked through the -- when I looked
22 through the, you know --

23 Q It would make sense.

FREEDOM COURT REPORTING

1 A Anyway, she was complaining of
2 sty in the right eye. She needed an order
3 for a mammogram. We'd given her one before
4 but I think she had missed the appointment.
5 Complaining of lumbar tenderness, chronic
6 right shoulder pain. And then on exam she
7 still had left shoulder pain, some
8 lumbosacral tenderness, diagnosis was
9 chronic pain, myositis, which is muscle
10 soreness and tendonitis in the left
11 shoulder.

12 I told them to schedule another
13 mammogram appointment for her. We gave her
14 some pain medicine and some Maxitrol eye
15 drops. M-A-X-I-T-R-O-L. That was for the
16 sty in her eye.

17 Q Okay. March 16th, '06, refills
18 on meds?

19 A Right. She was having chronic
20 left shoulder pain still. Also bilateral
21 foot pain. She was having pain in both
22 heels like I'd described previously.
23 Basically was there for her usual medicine,

FREEDOM COURT REPORTING

1 which is the pain medicine. And we also at
2 that time gave her some more Prednisone for
3 her, which is the cortisone for her heels to
4 hopefully get them back. It's a really
5 tough thing to have to treat.

6 Q Is there -- it looks like she
7 went from being on Lortab to Lorcet. Is
8 there -- what is the difference between
9 those two?

10 A Not much. There's -- Lorcet is
11 650 milligrams of -- of acetaminophen in it
12 where Lortab is 500, and sometimes one works
13 a little better than the other.

14 Q And it looks like on the same
15 page there's a note of a call in.

16 A Yeah. Blood pressure was 138
17 over 99 and the -- wanted to know if she
18 could take a half of a Benicar, which is
19 what she was on for blood pressure, and the
20 nurse advised her to take it and -- because
21 I'd given her samples last time she was
22 there.

23 Q Do you know why if she already

FREEDOM COURT REPORTING

1 had the medication she was calling to ask if
2 she could take it?

3 A An extra half I think because --

4 Q In addition to her dosage?

5 A Right, right.

6 Q And the 138 over 99, was that --

7 A That's considered -- well, the 99
8 number is really considered the problem.

9 Q Sure. But my -- my question was
10 whether that was blood pressure she had
11 taken herself or taken it somewhere else and
12 called and reported to you or did she come
13 in and have --

14 A No. She -- she had either taken
15 it herself or had gone somewhere to take it.
16 We did not take it.

17 Q She reported that number to your
18 office?

19 A Right.

20 Q And then she came in it looks
21 like the following day -- is that the
22 following day?

23 A Uh-huh. Yes.

FREEDOM COURT REPORTING

1 Q Yes. Okay. Got my papers messed
2 up now. Okay. And by that time her blood
3 pressure was 120 over 90 it looks like.

4 A Yes. And --

5 MS. ROBERTSON: Are y'all sure
6 it's 90?

7 THE WITNESS: It's 120 over 80.

8 MS. SWAIN: Did I get the wrong
9 page?

10 MS. ROBERTSON: No. Y'all just
11 can't read funny writing.

12 Q I think I'm --

13 A Where are you at? Let me see
14 your page.

15 Q Here. Please help me. What am I
16 doing? Thank you. I was --

17 A Oh, okay.

18 Q I was switching the papers the
19 wrong direction. Okay. So it was 120 over
20 80 by the next day --

21 A Right.

22 Q -- when she got to your office?

23 A Right.

FREEDOM COURT REPORTING

1 Q And that's normal; correct?

2 A That's good.

3 Q Anything else on that day?

4 A No. Just the usual. I --

5 diagnosis of hypertension, chronic shoulder
6 pain, back pain, anxiety. She was given
7 the -- the Benicar and told to take a half
8 at night. And I added Hydrochlorothizide in
9 the morning, which is a diuretic, and
10 sometimes when one of the blood pressure
11 medicines does not control the blood
12 pressure by itself, you add a second one.
13 And -- and usually a diuretic is what you
14 add because, especially in females, often
15 they retain fluid anyway, and it helps them
16 not only reduce the fluid but at the same
17 time lower their blood pressure. I'd given
18 her a prescription for Nexium to take at
19 bedtime, which she was already on. She just
20 needed a prescription. And Lortab at that
21 that point. And then I wrote down Benicar
22 was added at bedtime for her blood pressure
23 elevation, probably secondary to work

FREEDOM COURT REPORTING

1 stress.

2 Q And what made you think that the
3 blood -- blood pressure elevation was
4 probably secondary to work stress?

5 A When -- I mean, usually she would
6 say, I'm, you know, having a hard time at
7 work. We didn't get into any specifics or I
8 would have written it down. But, you
9 know --

10 Q That was just based on what she
11 reported to you?

12 A Uh-huh, uh-huh.

13 Q Is that a yes?

14 A Yes. I'm sorry.

15 Q It's all right. It's just --

16 A Yeah, I know. I know.

17 Q At this visit her weight was
18 259.3; is that correct?

19 A That's correct.

20 Q Which was what, about, what
21 35 pounds --

22 A 30 pounds --

23 Q -- more --

FREEDOM COURT REPORTING

1 A More than it was before.

2 Q So you think that may have had
3 some impact on her blood pressure?

4 A Absolutely.

5 Q This one -- the next --

6 A The next one.

7 Q The next one, 5/3/06, it looks
8 like.

9 A No.

10 Q Is that correct?

11 A 5/29/06 is what I thought.

12 Q Did I skip one?

13 A Let me see. Let me see your
14 note.

15 Q Okay. There's one between -- do
16 you have this?

17 A Oh, I'm sorry. I'm doing it now.

18 Q You're going backwards, too.

19 A Yeah. She returned on Benicar
20 for blood pressure. This probably would
21 have been considered more of a -- just a --
22 a routine visit. We gave her a shot of Depo
23 Medrol for her heel pain, foot exercises,

FREEDOM COURT REPORTING

1 her pain medicine, gave her more samples of
2 blood pressure medication, Benicar, told her
3 to continue her Paxil.

4 Q And -- and was the purpose for
5 the Paxil still the menopause symptoms?

6 A Well, it's -- it's -- it was
7 probably a little bit of both.

8 Q Okay.

9 A I mean, because with -- with
10 menopause, you know, you -- a lot of women
11 are very -- have mood swings, are very
12 anxious.

13 MS. ROBERTSON: Oh, no, Doctor,
14 not really.

15 A But they're -- you know, so the
16 Paxil does help that.

17 Q Okay.

18 MS. ROBERTSON: Can we go off the
19 record?

20 MS. SWAIN: Yes.

21 THE VIDEOGRAPHER: We're off at
22 4:47.

23 (Off The Record.)

FREEDOM COURT REPORTING

1 THE VIDEOGRAPHER: We're back on
2 at 4:47.

3 BY MS. SWAIN:

4 Q On the May 3rd, '06, visit, just
5 so I'm -- make sure my mind is clear on
6 this, she stated on the Lortab, whatever the
7 one with the D is you told me --

8 A Depo Medrol. It's --

9 Q Depo Medrol?

10 A That injectable --

11 Q For the heel?

12 A -- cortisone for the heel.

13 Q Okay. The Benicar --

14 A Samples.

15 Q And then the Paxil?

16 A Paxil.

17 Q Correct?

18 A Right.

19 Q All right. Then 5/25/06, is that
20 just a call in?

21 A She called in wanting some Paxil.
22 She was out.

23 Q Okay. So y'all just called that

FREEDOM COURT REPORTING

1 --

2 A So we phoned some in.

3 Q Okay. And then we got the 5/29
4 one; correct?

5 A Right. Says she was complaining
6 of left foot tendonitis on the plantares
7 that are bottom side. We call it plantar
8 fasciitis because tendons on the plantar or
9 bottom side of the foot get inflamed. And
10 so at that time we gave her some more pain
11 medicine. Prior to that she was on 20
12 milligram Paxil and at this visit we gave
13 her 40 milligram Paxil, which is a little
14 higher dose.

15 Q Okay.

16 A She's -- and I just documented
17 that she was unable to take nonsteroidal
18 anti-inflammatories because of GI upset.
19 She had tried Feldin and Motrin all with
20 problems taking -- taking that. She also
21 complained of having problems with stress at
22 work. She was -- stated she's being
23 harassed. Nothing was being done. She was

FREEDOM COURT REPORTING

1 thinking about quitting her job. And I just
2 told her to continue the Paxil, and we gave
3 her a little higher dose.

4 Q Did she during that visit
5 describe to you in any -- any further than
6 what you have here in your notes the nature
7 of any alleged harassment?

8 A No. That -- that I can remember,
9 no.

10 Q And this may be obvious, but your
11 knowledge of that is based on what she told
12 you; correct?

13 A Absolutely.

14 Q You didn't have any personal
15 knowledge of what was going on at her
16 workplace?

17 A No, ma'am.

18 Q And at the top right here it says
19 complains of, does RF mean right foot?

20 A Refill on Lortab.

21 MS. ROBERTSON: Close, Jennifer.

22 MS. SWAIN: Sorry.

23 THE WITNESS: I know. I know.

FREEDOM COURT REPORTING

1 MS. SWAIN: I will be there by
2 the end of the day. I got the letters
3 right.

4 BY MS. SWAIN:

5 Q So June 20th, '06, looks like the
6 next day; is that correct?

7 A Yes.

8 Q And that's also for a refill on a
9 meds visit?

10 A Yes. She was having back and
11 lumbar pain when she came in that time and
12 so I told her to get off her feet. So we
13 kept her out of work, you know, that week,
14 gave her a refill on her pain medicine, and
15 we scheduled her for a MRI of her lumbar
16 spine at the Medical Center. I'm trying to
17 see if there's anything else. I refilled
18 her Hydrochlorothizide and her Benicar.

19 Q What is the HTZE?

20 A Hydrochlorothizide. That is the
21 little water pill that we put her on back a
22 couple visits ago for her high blood
23 pressure.

FREEDOM COURT REPORTING

1 Q All right. And you indicate down
2 here at the bottom, it says, No work this
3 week. Is that --

4 A Right.

5 Q Did she tell you anything else
6 about her work situation during this visit?

7 A No.

8 Q Did she complain about anxiety
9 during this visit?

10 A No.

11 Q Or increase in blood pressure or
12 anything like that?

13 A Her main complaint on this time
14 was really her back. It was really hurting
15 her, and so that was one reason I wanted her
16 off her feet.

17 Q Okay. Then the next time was
18 July 18th, '06?

19 A Right. Refill on medicines. We
20 discussed her anxiety, her blood pressure,
21 back pain. She was there for refills. We
22 -- see if we did anything. Gave her a
23 refill on her pain medicine and her Paxil.

FREEDOM COURT REPORTING

1 Gave her some Protonix. If you notice a
2 couple visits before she was on Nexium.
3 This is just another similar drug to that.
4 That's what that's for. And I gave her some
5 Atuss MS, which is a cough medicine. A lot
6 of times as I'm going out the door somebody
7 will say, Well, I need something for cough,
8 and that's how that happened.

9 Q Okay.

10 A Again, there were no specifics.
11 Just basically she was having some anxiety.

12 Q Okay. All right. Next visit,
13 September 12th, '06; is that correct?

14 A That's right. She had -- had an
15 episode of the hives. The medical name for
16 that is Urticaria. Hives is where your body
17 releases a lot of histamine from the mast
18 cells in the -- in the body and what happens
19 is you turn red all over, you get huge welts
20 all over from head to toe and you itch from
21 the top of your head to the bottom of your
22 feet. Sometimes that progresses to
23 shortness of breath and even anaphylactic

FREEDOM COURT REPORTING

1 shock depending on how much histamine is
2 released into the body and how the body
3 reacts to it.

4 Q That's generally an allergic
5 reaction to something?

6 A Yes. And sometimes it --
7 urticaria occurs by itself sometimes.
8 Sometimes it occurs as a result of, you
9 know, a medicine or a chemical or exposure
10 to something. Chronic urticaria can occur
11 from such things as anxiety can trigger it.
12 There are just different triggers. Often
13 times unless it occurs more than once
14 without a specific reason, it's very
15 difficult to know exactly what caused it.

16 Q Okay.

17 A Basically, we gave her a shot of
18 Epinephrine. Gave her a shot of Decodran,
19 which was another cortisone-type
20 preparation. Gave her some Benadryl -- a
21 shot of Benadryl. All three which would
22 help reverse the reaction in the mast cells.
23 And I sent her home with a prescription for

FREEDOM COURT REPORTING

1 Epupin, which is medicine. Usually if it --
2 if this occurs multiple times it can
3 progress to where your throat starts to
4 close off, so I always like to send the
5 patient home with Epupin to make sure they
6 don't have a breathing problem. They have
7 it home ready to go. I gave her some
8 Claritin, which is nonsedating antihistamine
9 that lasts 24 hours. I gave her some of
10 that, some more Prednisone and then refilled
11 her pain medicine.

12 Q And looks like she called in on
13 the 18th of September for --

14 A Cough medicine.

15 Q -- cough medicine? Yeah.

16 A Right.

17 Q Is that January 8th, '07, was the
18 next visit?

19 A Yes. Lumbar disk disease, back
20 pain, which had increased lately. She was
21 having pain that went into her lower
22 extremities, the left side greater than the
23 right. We gave her some Robaxin muscle

FREEDOM COURT REPORTING

1 relaxant, bedtime. She had been off her
2 Paxil and she had taken some Goody powders
3 and was taking some Goody powders according
4 to the nurse when she came in. So I went
5 ahead and put her on some Feldene and gave
6 her some Omeprazole. Omeprazole is the
7 generic word for Prilosec. Prilosec is
8 another one of the same drugs used for
9 reflux. It's just -- depends on her
10 insurance plan and all that, which one you
11 prescribe a lot of times. They all work
12 about the same.

13 Q What about the Feldene? What is
14 that?

15 A Feldene is an anti-inflammatory
16 we tried to get her to take again along with
17 the Omeprazole. Sometimes if you take those
18 along with one of these medicines, you can
19 tolerate it even for a day or two.

20 Q And she was -- what is the next
21 thing after the Feldene, beneath that?

22 A Robaxin 750. It's a muscle
23 relax -- skeletal muscle relaxant. I gave

FREEDOM COURT REPORTING

1 that to her at bedtime because it does
2 cause -- it tends to cause drowsiness.

3 Q Is it a sleep aid?

4 A It's a -- it's a muscle relaxer.
5 What -- what it helps do in -- in patients,
6 especially patients that have that pain
7 spasm cycles, it helps the muscles try to
8 relax some and that reduces the overall
9 pain.

10 Q Okay.

11 A And it does cause drowsiness, so,
12 again, we like to give it at night.

13 Q Sure. You said the next visit
14 was February 5th, 2007, again, for back
15 pain?

16 A Right. She came in. She had --
17 she was having the same thing. Just low
18 back pain. Prevertebral muscles, which are
19 the muscles around -- surrounding the low
20 back were tender. We -- I gave her some
21 Zanaflex, which is another type of skeletal
22 muscle relaxant. It's not as sedating to
23 some people. I gave her a refill on her

FREEDOM COURT REPORTING

1 pain medicine. And she related to me at
2 that time that some 15 years ago she was
3 diagnosed by Dr. Varner with disk disease.
4 He had done x-rays but no MRI was done. She
5 got a shot of Decodran, which is the
6 anti-inflammatory. That was pretty much it.

7 Q Okay. March 9th, '07, is that --

8 A That's a call in. Yeah. She
9 needed some Paxil.

10 Q Had she been -- it looks like she
11 had been off Paxil but wanted to start it
12 back.

13 A Right.

14 Q Do you know why she wanted to
15 start it back?

16 A No, she didn't say.

17 Q And then she came in for an
18 office visit it looks like on March 23rd,
19 '07?

20 A Yes. She needed her medicine
21 refills, complained of back pain. At that
22 time -- you asked earlier about a diet. We
23 discussed a diet. I gave her some medicine

FREEDOM COURT REPORTING

1 to help suppress her appetite in addition to
2 regular medicines, which included the
3 Zanaflex, which is the muscle relaxant, the
4 pain medicine, and the Decadron shot, which
5 was for the inflammation.

6 We also did a thyroid test on her.
7 People that have difficulty losing weight
8 sometimes sometimes have a thyroid problem,
9 so we checked it. It was normal.

10 Q Okay. What does this say over
11 here --

12 A Keep --

13 Q -- right -- left side of the
14 page? I'm sorry.

15 A Discussed diet and I gave her
16 some Fastin, which is --

17 Q That's the --

18 A Appetite suppressant, yes, ma'am.

19 Q Okay. Is that April 30th, '07?

20 A April 30th. Right.

21 Q She came in for a chest cold?

22 A Back pain, chest cold. She had
23 bronchi wheezes, which are noises you hear

FREEDOM COURT REPORTING

1 when you listen to the chest when somebody
2 has either bronchitis or pneumonia or
3 inflammation in their chest because of a
4 cold or bronchitis. And at that time I gave
5 her an antibiotic, the Keflex. The Durahist
6 PE just above that is an antihistamine
7 decongestant. I gave her something for
8 cough. And on the right of that, Rocephin,
9 which is injectable antibiotic, Depo Medrol,
10 which is cortisone-type medicine, Lorcet for
11 pain.

12 And she mentioned -- this is another
13 kind of leaving toward the end, that she was
14 having a lot of snoring and kind of gasping
15 at night, and I just kind of wrote myself a
16 little note to talk to her later about maybe
17 doing a sleep study. That's what that is on
18 the bottom.

19 Q The next visit looks like
20 June 4th, 2007.

21 A Right. That's pretty much just a
22 routine visit for the medication. When you
23 use narcotics for pain or chronic pain like

FREEDOM COURT REPORTING

1 this, the state usually likes you not to
2 phone them in and see the patient every
3 month so that way you can make sure they're
4 being taken properly, that kind of thing.

5 So that's one reason why some of these are
6 just sort of "I'm here, I need my refill."

7 Q Okay. And that's what this one
8 was?

9 A Yes, ma'am.

10 Q And you just prescribed the
11 Lorcet?

12 A Yes. Uh-huh.

13 Q And the next one 8 --
14 August 10th, 2007?

15 A August 10th, she came in for
16 usual checkup. She complained of a cough
17 and cold. That's C and C. She had a bump
18 on her right wrist she wanted removed.
19 The -- on the exam she had some sinusitis
20 and upper respiratory track infection. I
21 noticed that she did have a cyst on her
22 right wrist, and I told her that we need --
23 usually I like to bring the patient back and

FREEDOM COURT REPORTING

1 schedule excision of the cyst. It's usually
2 not time enough to do it just on a regular
3 visit, so I have certain days that I like to
4 get patients in to remove places like that.

5 Q Okay.

6 A And so we gave her her pain
7 medicine, antibiotic, something for cough, a
8 couple of shots, something for drainage.
9 And I gave her Klonopin, which is an anxiety
10 drug, and I didn't make any specific -- so
11 she may have asked for something for -- else
12 for anxiety as I left but I didn't write it
13 down.

14 Q Would that be some -- like,
15 instead of Paxil? Is that --

16 A You would take it in addition to.

17 Q Was she still taking the Paxil at
18 this time? I don't see that on here.

19 A I don't think so, at that time.

20 Q Would there be a reason to take
21 instead of the other or without the other?

22 A Uh-huh. Sometimes the -- the
23 Klonopin would help a little more if you're

FREEDOM COURT REPORTING

1 having difficulty sleeping. It's probably a
2 little better for -- for anxiety but it's
3 not as good for depression.

4 Q Up until at least this visit on
5 August 10th, 2007, had Ms. Thornton
6 described for you at all what any of the
7 workplace stress or alleged harassment was
8 that she claims she experienced?

9 A I -- I don't remember that she
10 had. I usually try to write that down
11 and -- and I don't remember that she did.

12 Q Okay. And up until this point,
13 had -- I understood that she had expressed
14 to you that she was experiencing anxiety.
15 Had she reported any physical symptoms that
16 she -- well, I guess, the blood pressure she
17 claimed was perhaps caused by the -- by
18 that.

19 MS. ROBERTSON: Object. She
20 didn't claim it. He claimed it. She
21 reported it and he diagnosed it. I
22 object.

23 MS. SWAIN: Thank you.

FREEDOM COURT REPORTING

1 Q She reported that she believed
2 the blood pressure was due to her work
3 stress; correct?

4 A Well, I made a note in there
5 about the -- the relationship between the
6 anxiety and the blood pressure back here.
7 Now whether or not -- you know, it's been a
8 long time. I don't whether --

9 Q Which way that started?

10 A -- she said -- yeah. Yeah.

11 Q Okay. Your next note -- it looks
12 like your next visit looks like 9/17/07?

13 A Right. And that time she came in
14 for a monthly checkup and whatever, cough.
15 And then we had a pretty lengthy discussion
16 at that time about her prior job. I guess
17 at that point she was no longer at Flavor
18 House, and she was expressing a lot of
19 anxiety about running into her old boss.
20 The -- she was very anxious about she was
21 involved -- she told me she was involved in
22 a lawsuit with the previous employer for
23 sexual harassment. I wanted her to continue

FREEDOM COURT REPORTING

1 the Klonopin, and also I told her to go to
2 Headland Police Department and get a
3 restraining order, or whatever, to, you
4 know, relieve some of her fears. She was
5 afraid of the old boss coming into her
6 workplace. She wouldn't go anywhere to --
7 we scheduled a couple of mammograms, and so
8 at this point I'm understanding that she's
9 -- she won't go out by herself. Her husband
10 works all day apparently, and so she
11 wouldn't go get any of those tests done
12 because she was afraid of doing it by
13 herself.

14 Q Did she tell you what prompted
15 her to bring up this issue on this
16 particular visit?

17 A No, not that I can recall.

18 Q Were you aware or had
19 Ms. Thornton told you that she had left her
20 employment with Flavor House in June of
21 2006?

22 A No.

23 Q And were you aware on this visit

FREEDOM COURT REPORTING

1 that this was around the time she actually
2 filed her lawsuit against Flavor House?

3 MS. ROBERTSON: Object. She was
4 served her lawsuit.

5 MS. SWAIN: Would you just state
6 your objection, please.

7 A No.

8 Q Did she indicate to you whether
9 she had seen her -- the person she described
10 to you as her old boss at any time since
11 she'd left her employment at Flavor House?

12 A I don't recall. I don't -- I
13 don't know. I know we talked some about --
14 in -- she worked in a convenience store
15 situation, and there were people that came
16 in from time to time that she told me she
17 was kind of afraid of that were -- either
18 worked there or knew somebody that worked
19 there. I didn't document all of that here,
20 but I remember her saying some of that. But
21 as far as seeing her old boss, I can't
22 remember.

23 Q Did she tell you the name of the

FREEDOM COURT REPORTING

1 person that she was afraid of?

2 A Later on.

3 Q But not on this visit?

4 A Not on this visit.

5 Q Do you know now that -- that the
6 person that she was describing that
7 particular visit was a person named Frank
8 Williams?

9 A Yes.

10 Q So that is the person she was
11 talking about here she was --

12 A Apparently so.

13 Q -- she was afraid of?

14 A Yes, ma'am.

15 Q Did she discuss to you at all
16 what it was he had supposedly done to her
17 that made her become afraid of him?

18 A Not on this visit. We -- we
19 talked later on about some of the -- you
20 know, just acting, threatening toward her
21 but nothing -- I don't recall even in later
22 visits that I documented anything about
23 physical abuse or anything like that. It

FREEDOM COURT REPORTING

1 was all, you know, calling names and things
2 like that.

3 Q Okay. Let's look at the next
4 note from October 16th, 2007.

5 A Yes. Came in on the -- look back
6 here -- on the -- we did -- the previous one
7 was the -- wait a minute. We did October;
8 correct?

9 Q We just -- we need to do October.
10 We just finished September.

11 A Okay.

12 MS. ROBERTSON: You need a
13 notebook like me.

14 THE WITNESS: I do.

15 A She'd gone to the emergency room
16 several days before this visit complaining
17 of chest pain. She was evaluated and
18 basically they diagnosed her with severe
19 anxiety. She told me that she had her
20 deposition the next month, anxiety was
21 making her head spin. We talked about a
22 couple of different antidepressants. She
23 had failed on Wellbutrin. We had put -- I

FREEDOM COURT REPORTING

1 put her on Zoloft, which is another
2 antidepressant/antianxiety agent. And I
3 suggested that she go see Dr. Cobbleshots,
4 who is a female psychologist, to talk about
5 her anxiety and -- and getting over some of
6 those issues. And then, of course, we
7 refilled all of her other medicine.

8 Q When you say she failed on
9 Wellbutrin, that -- was that something that
10 you had given her earlier on or something
11 she had -- she reported that she had taken
12 sometime prior?

13 A Failed previously. Failed
14 previously at some point. I -- I've never
15 given --

16 Q With a different doctor?

17 A Right.

18 Q And do you know whether she went
19 to go see Dr. Cobbleshots?

20 A I think you will see in a later
21 progress note, there were -- there were
22 insurance issues. She couldn't go see her.

23 Q Did she discuss with you during

FREEDOM COURT REPORTING

1 this particular visit in October, that --
2 that -- that problem with her insurance?

3 A No. It was --

4 Q Okay. That's -- it came up
5 later?

6 A Right.

7 Q All right.

8 A I suggest -- I suggested an
9 appointment, and I think the next visit we
10 actually made the appointment. I'm sorry.

11 Q No, that's okay. I'm -- I'm
12 looking at --

13 A 11/30.

14 Q I don't know that I have 11/30.

15 MS. SWAIN: Do you have 11/30,
16 Ann?

17 MS. ROBERTSON: Yeah. It's
18 misdated. It's got 11/30/02, which I
19 don't really think is right.

20 THE WITNESS: It's '07 with a
21 tail, I think. Yeah.

22 MS. SWAIN: Okay. I've got it
23 out of order.

FREEDOM COURT REPORTING

1 MS. ROBERTSON: Yeah. There's
2 another 7 that looks like that I found.
3 I figured that out.

4 MS. SWAIN: I tell you what, just
5 in the interest of saving time, I don't
6 think I have that document for some
7 reason --

8 MS. ROBERTSON: Here. Let me
9 show it to you. I would get you another
10 one but --

11 MS. SWAIN: I was about to say --

12 MS. CROOK: If you want me to, I
13 will go make a copy.

14 MS. SWAIN: Well, if we want --

15 MS. ROBERTSON: See here. See,
16 it looks like 11/02.

17 MS. SWAIN: I may not have
18 grabbed it when I grabbed the rest of
19 these. But --

20 MS. ROBERTSON: I mean, in the
21 records I received it was in place at
22 the time it would have been issued.
23 It's just got that funny two up there.

FREEDOM COURT REPORTING

1 MS. SWAIN: Let me take a
2 brief --

3 MS. ROBERTSON: Sure.

4 MS. SWAIN: -- break and let me
5 copy.

6 THE VIDEOGRAPHER: 5:12.

7 (Whereupon, a short break was taken.)

8 THE VIDEOGRAPHER: Okay. We're
9 back on at 5:15:27.

10 BY MS. SWAIN:

11 Q Okay. So I now have a note --
12 the note that --

13 A 11/30/07.

14 Q Okay. It's weird. It looks like
15 a two.

16 A I know. It wasn't.

17 Q Okay.

18 A She came in, talked about the
19 Zolofit that we had given her for anxiety
20 depression causing her dizziness. Also, she
21 asked Carolyn, my nurse, to get another
22 appointment for a mammogram. And on exam
23 she had some back pain. Her blood pressure

FREEDOM COURT REPORTING

1 was up. She was having a lot of stress,
2 and, basically, what I documented was she
3 had increased stress due to the lawsuit with
4 previous company, anxiety/depression due to
5 harassment, having bad dreams of the person
6 who harassed her. She'd tried Klonopin
7 before. Her mother was also diagnosed with
8 breast cancer and I was really trying to
9 encourage her to get a mammogram, which she
10 had missed several previous appointments
11 primarily because she didn't want to go by
12 herself and couldn't get -- you know, didn't
13 want to go outside. So at that point we
14 worked on getting her a appointment with Dr.
15 Cobbleshots, a female. I thought a female
16 counselor would be better. We stopped her
17 Zoloft and I tried Celexa, which is another
18 in the class of what we call SSRI
19 antidepressants. I added the some Atenolol,
20 which is beta blocker for blood pressure, at
21 that time. The mammogram scheduled. She
22 got some Xanax and she got her pain
23 medicine.

FREEDOM COURT REPORTING

1 Q Was this visit in November of
2 2007 the first time --

3 A Seven.

4 Q I'm sorry?

5 A Seven.

6 Q Yes. Was this the -- the first
7 visit where she reported to you that she was
8 having bad dreams --

9 A Uh-huh.

10 Q -- about the harassment --
11 alleged harassment?

12 A It had to have been.

13 Q Okay. Also, I think you had --
14 you testified earlier that -- I think it was
15 one of those September, yeah, 2007 visit
16 when you first -- was it that visit? -- when
17 you first suggested to her that she -- no,
18 I'm sorry. It was the October 2000 (sic)
19 visit when you first suggested with her that
20 might want to make an appointment with Dr.
21 Cobbleshots.

22 A Right.

23 Q Was that first time that you

FREEDOM COURT REPORTING

1 suggested to her that she --

2 A Get a counselor?

3 Q Yeah.

4 A Yes. A lot of times we attempt
5 to try to treat anxiety and depression with
6 our medicine, and then most of the time it
7 works fine but if it doesn't and you see
8 it's not working, then that's usually when I
9 try to get them another appointment with
10 somebody else.

11 Q And prior to the September 2007
12 visit she had not reported any anxiety over
13 this issue in quite a while; is that
14 correct?

15 A You mean nightmares -- any
16 nightmares. Now, we didn't -- there were
17 several visits where she came in just for
18 her medicine that we didn't discuss anything
19 different.

20 Q Right.

21 A Okay.

22 Q Okay. And then your next --

23 A Next visit was 12/19/07.

FREEDOM COURT REPORTING

1 Complained of congestion in her chest, in
2 her ears, fever, hurting. And she hurt her
3 back pulling on her mother, helping her. So
4 on her exam she had a lot worse lumbar pain,
5 plus her sinus upper respiratory track
6 infection and we gave her some -- I told
7 her some -- I told her -- encouraged her to
8 push fluids. I gave her some Musinex and
9 Cipro, which is an antibiotic, something for
10 cough, which is Atuss, a couple of shots.

11 She also mentioned that the Zoloft she
12 thought worked better than the Celexa so we
13 stopped the Celexa and went back to Zoloft.

14 And thinking back, if I'm not mistaken,
15 I'm thinking that maybe -- I don't know if
16 she was insured at this point or not. I
17 have to look at those records from the
18 office, but that may be another reason we
19 tried to stay with some of these medicines
20 because they're generic and they're a lot
21 less expensive.

22 Q Okay.

23 A Okay.

FREEDOM COURT REPORTING

1 Q And she's still taking the Lortab
2 or --

3 A Pain medicine and muscle relaxer
4 for her back. Right.

5 Q And did she have -- mention on
6 this visit any alleged anxiety or anything
7 of that nature?

8 A No, not that I documented.

9 Q Okay. Well, do you recall it
10 beyond your documentation?

11 A I don't. I don't.

12 Q Okay. Now, the next visit I've
13 got dated 1 --

14 A 25/07.

15 Q Is that probably '08 you think,
16 given the order?

17 A Yeah. Yeah, given the order,
18 probably is.

19 MS. ROBERTSON: You've got a
20 dyslexic nurse.

21 THE WITNESS: I know it. I've
22 got several of them. Not just one but
23 several of them.

FREEDOM COURT REPORTING

1 A She's complaining of right ear
2 pain, sinusitis, anxiety. She had a -- had
3 right otitis media, which is pretty painful
4 ear infection. The usual low back pain.
5 She -- just looking here, gave her some
6 antibiotics and something for the drainage.
7 The Lodrane 12D, which is what this is,
8 Atuss MS for cough, the shots of Rocephin
9 Indecadron. I told her to continue her
10 Zolof. I also gave her some Alprazolam,
11 her Xanax. A very small .25 dose. She was
12 very anxious and worried about I guess it
13 was one of those depositions about that
14 time. I'm not sure. So I gave --

15 Q It may have been scheduled and
16 rescheduled a couple of times.

17 A Yeah.

18 Q So that may come up more than
19 once.

20 A So I gave her -- you know, I
21 wanted to give her something that might help
22 her with the anxiety, and usually that low a
23 dose doesn't make you sound thick-tongued or

FREEDOM COURT REPORTING

1 drunk or anything like that. So I thought
2 that would help her and also keep her blood
3 pressure down, too, and give her pain
4 medicine.

5 Q Okay. The next visit on
6 February 22nd, '08?

7 A Right. Just her usual monthly
8 checkup. Wanted -- she wanted us to check
9 her ears, felt like there was fluid in them,
10 made her a little bit dizzy. And she had
11 some drainage. She also -- we got into a
12 fairly lengthy discussion about her anxiety
13 and depression and the lawsuit and
14 harassment situation. She's had a lot of
15 anxiety and insomnia. She talked about she
16 was reliving some of the harassment causing
17 her to feel worse. She really -- after
18 going through some depositions, apparently
19 she wanted to just -- said I just want to
20 get my -- get over this and get my life
21 back. She's worried about her safety
22 because of the lawsuit. She wouldn't go out
23 to eat or go in public places because she

FREEDOM COURT REPORTING

1 was afraid for her own safety, and we talked
2 about that.

3 Q Did she tell you what it was
4 about the lawsuit that made her afraid for
5 her safety?

6 A She was afraid of this person who
7 had harassed her was going to do physical
8 harm to her.

9 Q Did she tell you what made her
10 think that?

11 A No.

12 Q Did she tell you what the alleged
13 harassment was?

14 A Not -- no.

15 Q What it was that she -- that
16 supposedly had happened to her --

17 A No.

18 Q -- at work?

19 A No.

20 Q And then -- and then medications
21 on this visit, what did you prescribe her?

22 A Well, we gave her the
23 antihistamine decongestants. I gave her

FREEDOM COURT REPORTING

1 BuSpar. The third one down is -- is a new
2 medicine. It's called BuSpar. BuSpar is an
3 antianxiety agent used pretty frequently
4 because it's not a Benzodiazine, which
5 Benzodiazine medicines like Xanax and
6 Klonopin and Valium. And BuSpar is a
7 nonsedating antianxiety agent that works
8 fairly well in -- in some people for anxiety
9 without knocking them out. So I gave her
10 some of that. And then I gave her a couple
11 of shots for cold, told her to continue the
12 Zoloft and the Atenolol, which she's taking
13 at bedtime. The Atenolol is a blood --
14 blood pressure medicine that we'd added a
15 couple visits previously.

16 Q Is she still taking pain
17 medication at this time?

18 A Yes.

19 Q What was her pain medication?

20 A Lorcet or Lortab. I don't -- you
21 know --

22 Q One of those?

23 A Uh-huh.

FREEDOM COURT REPORTING

1 Q Okay. And then you saw her again
2 on May -- I'm sorry, March 17th, 2008?

3 A March 17th, right. Her blood
4 pressure was really elevated. It was 147
5 over 105. She was -- told me at that point
6 she was under increased stress lately.
7 She'd given depositions in her sexual
8 harassment case over the weekend and she's
9 very anxious. She was complaining because
10 of, you know, having to ride all that way up
11 there and sit. Her back pain was worse.
12 She didn't get a mammogram done. She was
13 reluctant to go out by herself due to fear
14 of confrontation by Frank Williams. And
15 this is the first time I've heard this
16 person's name. I put down that we would
17 like to get an MRI, but, mainly, she's
18 refused to go out in public places by
19 herself and her anxiety and depression
20 continues. She's unable to see the female
21 counselor because of insurance, noncoverage.
22 She's taking BuSpar twice a day along with
23 Zoloft because of depression. Her blood

FREEDOM COURT REPORTING

1 pressure has been very high due to her
2 increased anxiety.

3 Diagnosis, poorly controlled
4 hypertension, exacerbation by situational
5 anxiety. Lumbago back pain,
6 anxiety/depression. And at this point I
7 added Vaxum, Benicar 20, 12 and a half, gave
8 her some samples, gave her pain medicine. I
9 wanted her to continue the Zoloft and the
10 BuSpar. And Klonopin, which is like the
11 Xanax but it's -- in this case it's a little
12 longer acting medication. We also wanted
13 her to follow-up and get another blood
14 pressure check.

15 We discussed her anxiety and
16 depression. And we tried to get her to
17 see -- you know, a lot of this I felt like
18 was the stress of the deposition was making
19 her blood pressure and her -- worse and that
20 made her anxiety worse and it just sort
21 of -- sort of cause and effect, you know.

22 Q Did you -- well, during this
23 visit, again, I'm going to ask you, did --

FREEDOM COURT REPORTING

1 did she describe to you in any way what the
2 the alleged sexual harassment was?

3 A Not that I can recall, no. At
4 some point I -- I remember her talking
5 about, you know -- I know there was some
6 name calling and -- but I -- I -- I just
7 can't -- you know, can't remember.

8 Q Did you discuss with Ms. Thornton
9 at all any alternatives for counseling and
10 any kind of sliding scale kind of agency or
11 anything of that nature that she might be
12 able to afford?

13 A We didn't at this visit, but the
14 next one we -- we tried to get her in with
15 Catholic Services.

16 MS. SWAIN: Well, anyway, we
17 should go down the notice and then I
18 could ask some good questions. Might
19 speed us up a little bit.

20 MS. ROBERTSON: It's like when I
21 get to the middle of a brief and start
22 thinking, Why didn't you put this in
23 there? And then I say, Why don't I

FREEDOM COURT REPORTING

1 finish reading the brief.

2 Q Okay. So the next note is April?

3 A 4/14. Yeah. Complained of back
4 pain, right leg pain, anxiety and
5 depression. She was here for followed up --
6 follow-up. Her blood pressure was much
7 better that day. It was 123 over 84. She
8 was still very anxious about her court case
9 which was ongoing. Worried about harassment
10 by previous co-worker, reluctant to go
11 anywhere, not sleeping.

12 She was unable to go to the previous
13 counselor due to insurance issues, so I was
14 going to refer her to a female counselor at
15 Catholic Services. And I had my nurse call
16 and try to get -- get her an appointment.
17 And the -- we just gave her medicines, the
18 pain medicine and the Klonopin and told her
19 to continue what she had been taking.

20 Q Okay.

21 A And the next was a call. She
22 stated that Catholic Services' counselor was
23 out of work, so she really still wanted to

FREEDOM COURT REPORTING

1 see a female counselor. And I thought that
2 would be good for her. Husband was at Fort
3 Rucker had a card for Bradford Health
4 Services that dependent can go to. So she
5 was going to contact Bradford for counseling
6 and was going to let me know if she needed
7 referral or if she could just go directly to
8 them. And that was what that was -- that
9 phone call was.

10 Q Okay.

11 MS. ROBERTSON: I know we had a
12 card about telephone calls.

13 MS. SWAIN: This was in the stuff
14 that you produced today.

15 MS. ROBERTSON: About confirming
16 the deposition?

17 THE WITNESS: Yeah, yeah. I
18 don't know why that got stuck in there.

19 Q We can skip that page.

20 A Yea.

21 Q And then --

22 A 5/12.

23 Q -- it looks like the next -- the

FREEDOM COURT REPORTING

1 next one, though, is sort of out of order.

2 This is before the 5/16; correct? This is
3 5/12?

4 A 15/12, yeah. It must have been
5 out of order. You're right. It must have
6 been. 5/12, anxiety, back pain, pain is
7 going down to her leg, very anxious. She
8 had a deposition that day and over the next
9 week. She was complaining of increased
10 lumbar pain, a lot of her pain was going
11 down into her leg. I made a note here. She
12 was having anxiety and she had been seen by
13 Catholic Services, will continue to
14 Klonopin. I see I gave her her usual
15 medicines, some Klonopin and some Lorcet,
16 and just -- we just kind of talked a little
17 bit about her case and the -- you know, not
18 in any real specifics. I think that she was
19 very anxious and, you know, upset with all
20 the depositions and everything else but --
21 but to my knowledge nothing specific.

22 Q Okay.

23 A The next page is a -- have you

FREEDOM COURT REPORTING

1 got one that's got a bunch of list. Yeah.
2 This is just a flow sheet for when they --
3 they call in. The first was for a cough.
4 Was -- she just -- the nurse confirmed for
5 her to take the BuSpar twice a day. They --
6 there's a note from 4/16 where they called
7 Catholic Services and requested an
8 appointment with female counselor ASAP and
9 social service people were going to contact
10 the patient directly. The last one was just
11 a refill. So that's just a flow sheet. And
12 the last date was 6/5/08. Just anxiety,
13 back pain, anxiety about lawsuit. She
14 wasn't sleeping.

15 She went to a counselor and saw a Carol
16 Dean. The -- she said she -- she liked the
17 lady and so that -- I'm just trying to
18 think.

19 Anyway, she said she has now seen a
20 counselor which I felt was -- was a good
21 thing for her because I really think in
22 talking with her that she and -- and Linda
23 felt too that counselor was going to help

FREEDOM COURT REPORTING

1 her get back to where she could hopefully
2 get out and get things done like we wanted
3 to have done. With a mother that has breast
4 cancer, she needs her mammogram. You know,
5 the things that we need to get her out in
6 public to do.

7 Q When was -- looking through your
8 notes it looked like to me that -- that --
9 was the first time that Linda discussed with
10 you any concern about, you know, going out
11 in public, going places on her own, was that
12 the September 17th, 2007, visit?

13 A Let me look. That was probably
14 the first time that she'd actually really
15 come out -- came out and talked about that,
16 which makes me think back to the other
17 visits where we had scheduled tests and
18 this -- all the sudden now I have a reason
19 why she hasn't made some of these
20 appointments and -- and done some of this
21 stuff.

22 Q Which -- which test are you
23 talking about that she did not go?

FREEDOM COURT REPORTING

1 A The mammogram that we -- we'd
2 actually scheduled originally the second
3 visit that she had been in the office, the
4 second -- way back. When we talked about --
5 let me look back. Hold on. Somewhere.
6 Yeah. Here on 1/16 of '06. That was
7 probably the first time we tried to schedule
8 her mammogram for her and, you know, really
9 wasn't aware at that time about any, you
10 know -- I guess the more that she came and
11 when she was coming in for her chronic back
12 pain and things like that, the more that she
13 came in I think she sort of opened up more
14 and more. And -- and I think you can see as
15 time went on she ended up telling me more
16 about kind of what was going on, you know.

17 Q Well, was it your understanding
18 that she was unable to keep appointments
19 because of fear of Frank Williams back in
20 January of 2006?

21 A Well, like I said, in retrospect
22 that -- that may have had something to do
23 with it. I don't know.

FREEDOM COURT REPORTING

1 Q I mean, you're aware that she was
2 working with him every day during that time
3 frame?

4 A I -- I mean, I don't know. That
5 was what -- when she started to talk about
6 having a fear of going out, I just thought
7 to myself, well, maybe that's why she's
8 missed so many of these appointments. You
9 know, that was just me thinking.

10 Q Okay. Any other appointments
11 that you're speaking of?

12 A Well, we -- we made probably
13 three or four during things we've gone
14 through from -- for like a mammogram, and we
15 did make one for an MRI but because of her
16 previous back problems she wasn't able to
17 get it because of her insurance. It wasn't
18 covered. And, you know --

19 Q Was she able to keep her
20 appointments with you each month?

21 A As far as I know she was, yeah.

22 Q Did she come to those
23 appointments alone?

FREEDOM COURT REPORTING

1 A I don't know. The last one she
2 did not I know but I --

3 Q Who attended with her on her last
4 appointment?

5 A Her husband.

6 Q Do you know whether her husband
7 attended of the other appointments she had
8 with you?

9 A I don't know. I do know that one
10 of the reasons she gave me for not getting
11 some of the these tests done was he worked a
12 lot of -- you know, during the day and was
13 unable to -- and if I remember correctly,
14 the schedule she works at the convenience
15 store was only on -- at times when he was
16 pretty nearby. I don't -- I don't think she
17 lived far from wherever she worked at the
18 convenience store.

19 Q And that's based on what she has
20 reported to you?

21 A Exactly, exactly.

22 Q And in terms of -- okay. You
23 indicated one of the reasons why she gave

FREEDOM COURT REPORTING

1 you for not getting some of the tests done
2 was her husband's work schedule might not
3 let them go. Is that something that's
4 reported in your notes? And I believe it is
5 but I don't know which --

6 A Somewhere. But yeah. It's
7 somewhere later but it was more later on in
8 the -- I don't know.

9 MS. ROBERTSON: Try 9/07.

10 A Let's see. Well, just that -- I
11 just remember her mentioning that, the fact
12 that -- in fact, I didn't write it in the
13 notes, but at work she had her little bat --
14 little stick in case somebody came in.

15 Q Did she tell you that she was
16 carrying a screwdriver in her back pocket?

17 A No. She said she had a knife and
18 a stick.

19 Q And you don't recall when she
20 told you that? Is that a no?

21 A It's -- it's -- it's probably
22 been six months.

23 Q And I think we've already

FREEDOM COURT REPORTING

1 established this, but just to make sure I
2 understand this clearly, whatever you know
3 about what went on in Linda's workplace you
4 know from Linda; correct?

5 A Absolutely.

6 Q Have you ever discussed with
7 anybody else that worked with Linda anything
8 that went on in her workplace?

9 A I don't know anybody that's
10 worked -- that --

11 Q So your source of that all is
12 basically only Linda?

13 A Yes, ma'am.

14 Q Did you ever tell Ms. Thornton
15 that she should not leave her house or that
16 she should not go into Dothan or other areas
17 of town?

18 A No.

19 Q Did you ever for any kind of
20 mental health reason restrict her movement
21 or her ability to be in certain geographical
22 areas?

23 A No.

FREEDOM COURT REPORTING

1 Q Have you ever become concerned at
2 all about Ms. Thornton's use of pain
3 medications consistently over, say, a two
4 and a half year period?

5 A They're not inconsistent with
6 somebody with chronic back pain. There are
7 a whole group of patients, and one reason we
8 try to see those patients every month is to
9 make sure they're not taking those medicines
10 improperly. But there are a whole group of
11 patients that -- what we call chronic pain
12 patients that take a regimen of medicine.
13 It's usually the same amount every month.
14 And even though for you or I it might be
15 more than we could take and sit up straight,
16 for somebody who is on chronic -- chronic
17 pain regimen, that amount is not an
18 excessive amount. There are people that go
19 to the pain clinic, for instance, where we
20 were giving her maybe 60 or 90 of those
21 tablets a month would take up to 180 of
22 those pills in a month. Also may have a
23 pain patch or some other pain medicine that

FREEDOM COURT REPORTING

1 goes along with that. That's consistent
2 with, you know, treating chronic pain.

3 Q So from that I take, make sure I
4 understand this correctly --

5 A I'm sorry.

6 Q -- the short answer I guess would
7 be no --

8 A No.

9 Q -- that you're not concerned
10 about that?

11 A No. I'm not. I'm not. I'm not.

12 Q Okay. And would it be expected
13 for someone with her issues with her back
14 and other parts of her body that she's had
15 some issues with, that she would be expected
16 to -- to maybe stay on that kind of
17 medication, you know, forever?

18 A In most cases people stay on that
19 kind of medication for years. Now, with
20 that said, if we can get an MRI done and if
21 I can get her to -- if -- if the MRI does
22 show some disk bulging or some treatable
23 problems, we can work with that. We may can

FREEDOM COURT REPORTING

1 get epidurals done or other things done to
2 actually reduce the amount of pain medicine
3 that she's on.

4 Q Okay. Would Ms. Thornton's use
5 of pain medication regularly affect her
6 ability to safely operate machinery at work
7 in a plant environment?

8 MS. ROBERTSON: Object.

9 A Believe it or not -- believe it
10 or not, people that are on chronic pain
11 medicine, like I said before, don't have the
12 same effects that you or I would have
13 taking. Once they've been on them a period
14 of time it does not affect -- but, of
15 course, everybody is a little bit different.
16 But, actually, if you look at the federal
17 regulations, for instance, for DOT, the only
18 pain medicine those truck drivers can't take
19 is Methadone. They can be on Oxycontin.
20 They can be on all kinds of stuff and it's
21 legal. Like I said, if it's done on a
22 regular routine basis, it's often just like
23 they don't even know they're on it.

FREEDOM COURT REPORTING

1 Q Okay. So the short again --

2 A I'm sorry.

3 Q -- in your opinion the answer is
4 no? Well, no. And I appreciate the --

5 A Right.

6 Q -- explanation you gave. Just to
7 make sure I fully understand --

8 A Right.

9 Q What you're saying, in your
10 medical opinion the answer would be no?

11 A No.

12 Q I don't have anything further.

13 EXAMINATION

14 BY MS. ROBERTSON:

15 Q Doctor, Ms. Swain said all you
16 had to rely on was what Ms. Thornton
17 reported to you. Is taking a personal and
18 medical history of patient one of the first
19 things a doctor does in order to make a
20 diagnosis?

21 MS. SWAIN: Objection.

22 A Yes, it is.

23 Q And did you -- during the course

FREEDOM COURT REPORTING

1 of your treatment, have you found anything
2 in her symptomology or her cooperatives
3 would indicate she is not reporting the
4 truth as she understands it to you?

5 MS. SWAIN: Objection.

6 A She's been truthful as far as I
7 can tell with me.

8 Q All right. Now, Ms. Swain asked
9 you can weight affect blood pressure.
10 Can -- does -- is a symptom of depression
11 weight gain sometimes?

12 A Yes.

13 Q Is the symptom of anxiety a
14 weight gain sometimes?

15 A Yes.

16 Q And so could -- would the weight
17 gain based on the depression or anxiety and
18 the -- have -- strike that. Strike that.
19 What is situational elevated blood pressure
20 or high blood pressure or hypertension?

21 A Situational, similar to
22 situational anxiety, is just -- it's just
23 blood pressure elevation relating to a

FREEDOM COURT REPORTING

1 specific event, maybe a family member passes
2 away or some anxiety issue.

3 Q Like a deposition or like at
4 work -- because of work stress?

5 A Yes. Teenagers.

6 Q Yeah, teenagers. That's all I
7 have. Oh, wait -- wait just a minute. My
8 client wants you -- when you received the
9 subpoena, did the person who served it say
10 anything to you?

11 A I'm trying to think. He told me
12 that "she was a crazy woman."

13 Q Okay. Thank you.

14 MS. ROBERTSON: The boy who
15 killed the woman's job, he needs to be
16 taken off the street.

17 MS. SWAIN: All right. That's
18 fine.

19 MS. ROBERTSON: Excuse me.

20 THE VIDEOGRAPHER: This concludes
21 the deposition the time --

22 MS. SWAIN: You know what? Can I
23 just do one thing? So we can be more

FREEDOM COURT REPORTING

1 clear for the record -- a little more
2 clear I'm going to introduce as
3 Defendant's Exhibit 1 Dr. Bendinger's
4 deposition the treatment notes.

5 MS. ROBERTSON: Yeah, I think we
6 covered today.

7 MS. SWAIN: Covered today. Yeah.
8 But there's actually -- so does anybody
9 have any objection to that?

10 MS. ROBERTSON: No.

11 MS. SWAIN: You can you go off
12 right now.

13 (Defendant's Exhibit Number
14 1 was marked and attached to the
15 deposition.)

16 THE VIDEOGRAPHER: We'll go off
17 the video record at 5:48:06.

18 DEPOSITION CONCLUDED

19

20

21

22

23

FREEDOM COURT REPORTING

CERTIFICATE

STATE OF ALABAMA:

COUNTY OF BUTLER:

I hereby certify that the above and foregoing deposition was taken down by me in stenotype and the questions and answers thereto were transcribed by means of computer-aided transcription, and that the foregoing represents a true and correct transcript of the testimony given by said witness upon said hearing.

I further certify that I am neither of counsel, nor of kin to the parties to the action, nor am I in anywise interested in the result of said cause.

RENNY MCNAUGHTON

Certified Court Reporter

License Number: ACCR #:411

<p>A</p> <p>Abbeville 9:10 ability 82:21 85:6 able 10:18 16:2 72:12 79:16,19 Absolutely 12:18 20:5 34:4 38:13 82:5 abuse 55:23 ACCR 90:21 acetaminophen 29:11 acting 6:4 55:20 71:12 action 1:5 90:16 add 32:12,14 added 32:8,22 61:19 69:14 71:7 addition 16:11 30:4 47:1 50:16 additional 26:18 Advil 16:22 advised 3:11 19:4 29:20 affect 20:3 85:5,14 87:9 afford 72:12 afraid 53:5,12 54:17 55:1,13,17 68:1,4,6 agency 72:10 agent 18:5 57:2 69:3,7 aggressive 19:12 23:11 ago 23:10,10,11 39:22 46:2 AGREED 2:2,11,18 ahead 10:11 44:5 aid 45:3 Alabama 1:2,23 2:8 3:5 5:8,15,19 6:2,3,5,9 7:1 9:10 90:3 alleged 38:7 51:7 62:11 65:6 68:12 72:2 allergic 42:4 Alprazolam 66:10 alter 27:20 alternatives 72:9 amended 3:6 amount 83:13,17,18 85:2 anaphylactic 41:23 Andrews 5:18 Angie 12:23 Ann 5:11 7:8,16 58:16 answer 84:6 86:3,10 answers 90:8 anxiety 69:3,7 antibiotic 22:14 48:5,9 50:7 64:9 antibiotics 15:7 66:6</p>	<p>antidepressants 56:22 61:19 antidepressant/antia... 18:5 57:2 antihistamine 22:15 43:8 48:6 68:23 anti-inflammatories 16:22 37:18 anti-inflammatory 44:15 46:6 anxiety 32:6 40:8,20 41:11 42:11 50:9,12 51:2,14 52:6,19 56:19,20 57:5 60:19 63:5,12 65:6 66:2,22 67:12,15 69:8 70:19 71:2,5,15,20 73:4 75:6,12 76:12,13 87:13,17,22 88:2 anxiety/depression 61:4 71:6 anxious 35:12 52:20 66:12 70:9 73:8 75:7 75:19 anybody 24:18 82:7,9 89:8 anymore 12:15 anyway 22:11 28:1 32:15 72:16 76:19 anywise 90:16 apparently 53:10 55:12 67:18 appetite 47:1,18 appointment 28:4,13 58:9,10 60:22 61:14 62:20 63:9 73:16 76:8 80:4 appointments 61:10 77:20 78:18 79:8,10 79:20,23 80:7 appreciate 86:4 approximately 2:10 6:9 April 47:19,20 73:2 areas 82:16,22 ASAP 76:8 asked 46:22 50:11 60:21 87:8 asks 26:9 assign 2:23 Atenolol 61:19 69:12 69:13 Atlanta 9:9 attached 89:14 attempt 63:4 attended 80:3,7 attorney 5:17 8:11</p>	<p>Atuss 41:5 64:10 66:8 Auburn 9:4 August 49:14,15 51:5 aware 53:18,23 78:9 79:1</p> <p>B</p> <p>B 4:5 bachelor 8:23 9:3 back 13:3,11 23:20 25:16,20 27:1 29:4 32:6 36:1 39:10,21 40:14,21 43:19 45:14 45:18,20 46:12,15,21 47:22 49:23 52:6 56:5 60:9,23 64:3,13 64:14 65:4 66:4 67:21 70:11 71:5 73:3 75:6 76:13 77:1 77:16 78:4,5,11,19 79:16 81:16 83:6 84:13 background 8:20 backwards 14:2 34:18 bad 21:7 61:5 62:8 Baker 5:4 based 33:10 38:11 80:19 87:17 basically 25:16 28:23 41:11 42:17 56:18 61:2 82:12 basis 85:22 bat 81:13 Bearman 5:4 bedtime 32:19,22 44:1 45:1 69:13 begins 6:16 believe 12:2 14:10 81:4 85:9,9 believed 52:1 Benadryl 42:20,21 Bendinger 1:15 2:5 6:11,17 8:2,9,10 10:4 13:14 Bendinger's 89:3 beneath 44:21 benefits 16:14 17:8 Benicar 17:23 23:17 24:8 29:18 32:7,21 34:19 35:2 36:13 39:18 71:7 Benzodiazine 69:4,5 Berkowitz 5:5 beta 61:20 better 16:21 17:2,2 23:4 29:13 51:2</p>	<p>61:16 64:12 73:7 beyond 65:10 bilateral 24:16 28:20 Birmingham 5:8,15 9:18 bit 10:19 20:2,21 24:19 35:7 67:10 72:19 75:17 85:15 bleeds 17:19 blocker 61:20 blood 17:18,23 18:23 19:3,12,19,19 20:3 23:1,15 29:16,19 30:10 31:2 32:10,11 32:17,22 33:3,3 34:3 34:20 35:2 39:22 40:11,20 51:16 52:2 52:6 60:23 61:20 67:2 69:13,14 70:3 70:23 71:13,19 73:6 87:9,19,20,23 board 9:13 Bobbie 2:8 5:16 6:8,23 body 41:16,18 42:2,2 84:14 border 23:7 boss 52:19 53:5 54:10 54:21 bottom 14:4 37:7,9 40:2 41:21 48:18 boy 88:14 Bradford 74:3,5 break 60:4,7 breast 18:15 61:8 77:3 breath 41:23 breathing 43:6 brief 60:2 72:21 73:1 briefly 8:19 13:21 bring 49:23 53:15 bronchi 47:23 bronchitis 48:2,4 Building 5:13 bulging 84:22 bump 49:17 bunch 76:1 BuSpar 69:1,2,2,6 70:22 71:10 76:5 BUTLER 90:4</p> <p>C</p> <p>C 5:1,11 49:17,17 caffeine 18:1 Caldwell 5:4 call 13:16 24:4,22,23 29:15 36:20 37:7 46:8 61:18 73:15,21</p>	<p>74:9 76:3 83:11 called 30:12 36:21,23 43:12 69:2 76:6 calling 25:2 30:1 56:1 72:6 calls 74:12 cancer 18:15 61:8 77:4 card 74:3,12 care 7:22 15:19 Carol 76:15 Carolyn 60:21 carrying 81:16 case 6:20 70:8 71:11 73:8 75:17 81:14 cases 84:18 Catholic 72:15 73:15 73:22 75:13 76:7 cause 6:12 45:2,2,11 71:21 90:17 caused 42:15 51:17 causing 60:20 67:16 Celexa 61:17 64:12,13 cells 41:18 42:22 Center 26:1 39:16 centimeter 16:8 22:13 certain 50:3 82:21 CERTIFICATE 90:1 certified 9:13 90:20 certify 6:4 90:6,14 check 67:8 71:14 checked 47:9 checkup 49:16 52:14 67:8 chemical 42:9 chest 47:21,22 48:1,3 56:17 64:1 Childs 5:12 chronic 17:19 25:12,16 25:17 28:5,9,19 32:5 42:10 48:23 78:11 83:6,11,16,16 84:2 85:10 chronological 14:3 Cipro 64:9 City 9:6 Civil 1:5 3:5 6:6 claim 51:20 claimed 51:17,20 claims 51:8 Claritin 43:8 class 61:18 clear 36:5 89:1,2 clearly 82:2 client 88:8 clinic 83:19 close 38:21 43:4</p>
--	--	--	--	--

<p> obblshots 57:3,19 61:15 62:21 cold 14:18,18 47:21,22 48:4 49:17 69:11 column 26:8 come 24:12 25:20 26:10 27:1 30:12 66:18 77:15 79:22 coming 14:17 15:1 53:5 78:11 commencing 2:9 6:9 Commissioner 1:20 6:4 common 24:18 company 61:4 complain 40:8 complained 37:21 46:21 49:16 64:1 73:3 complaining 16:4 25:11 28:1,5 37:5 56:16 66:1 70:9 75:9 complains 38:19 complaint 27:5,6 40:13 complaints 17:17 compliance 2:15 computer-aided 90:10 concern 77:10 concerned 83:1 84:9 CONCLUDED 89:18 concludes 88:20 confirmed 76:4 confirming 74:15 confrontation 70:14 congested 21:15 congestion 64:1 consider 19:2,22 considered 30:7,8 34:21 consistent 84:1 consistently 83:3 contact 74:5 76:9 continue 22:16 23:14 35:3 38:2 52:23 66:9 69:11 71:9 73:19 75:13 continues 70:20 contribute 19:18 control 32:11 controlled 71:3 contusion 16:8 convenience 54:14 80:14,18 cooperatives 87:2 copies 12:20,23 13:1,2 copy 59:13 60:5 orrect 32:1 33:18,19 </p>	<p> 34:10 36:17 37:4 38:12 39:6 41:13 52:3 56:8 63:14 75:2 82:4 90:11 correctly 20:16 80:13 84:4 cortisone 16:19 29:3 36:12 cortisone-type 42:19 48:10 cough 22:16 25:3 41:5 41:7 43:14,15 48:8 49:16 50:7 52:14 64:10 66:8 76:3 counsel 2:4,20,22 6:7 7:3 90:15 counseling 72:9 74:5 counselor 61:16 63:2 70:21 73:13,14,22 74:1 76:8,15,20,23 counter 19:9 COUNTY 90:4 couple 39:22 41:2 50:8 53:7 56:22 64:10 66:16 69:10,15 course 57:6 85:15 86:23 court 1:1 2:6,16 3:12 3:13 6:1 7:2,14 14:19 14:22 73:8 90:20 cousin 9:17 covered 79:18 89:6,7 co-worker 73:10 crazy 88:12 Crook 2:8 5:16 6:8,23 59:12 cutoff 19:3 cycles 45:7 cyst 22:12 49:21 50:1 C-O 27:5 </p> <hr/> <p style="text-align: center;">D</p> <hr/> <p> D 1:21 2:5 3:6 4:1 6:1 6:19 36:7 date 6:5 14:9 27:13 76:12 dated 65:13 day 2:9 3:9 6:10 14:12 15:10 18:3,22 30:21 30:22 31:20 32:3 39:2,6 44:19 53:10 70:22 73:7 75:8 76:5 79:2 80:12 days 50:3 56:16 Dean 76:16 Decadron 47:4 </p>	<p> December 11:13 Decodran 42:18 46:5 decongestant 22:15 48:7 decongestants 68:23 defendant 5:2 7:6 10:8 Defendant's 89:3,13 Defendant(s) 1:12 degree 8:21 9:1,3 delivering 3:7 Department 53:2 dependent 74:4 depending 42:1 depends 44:9 Depo 34:22 36:8,9 48:9 deposition 1:14 2:4,13 2:14 3:2 6:16 56:20 71:18 74:16 75:8 88:3,21 89:4,15,18 90:7 depositions 2:17 66:13 67:18 70:7 75:20 depression 51:3 60:20 63:5 67:13 70:19,23 71:16 73:5 87:10,17 describe 38:5 72:1 described 28:22 51:6 54:9 describing 55:6 details 21:21,23 22:4 diagnosed 25:15 46:3 51:21 56:18 61:7 diagnosis 25:15 28:8 32:5 71:3 86:20 diastolic 19:6 diet 46:22,23 47:15 difference 29:8 different 13:20 42:12 56:22 57:16 63:19 85:15 difficult 20:21 22:2 42:15 difficulty 47:7 51:1 direction 31:19 directly 74:7 76:10 discuss 55:15 57:23 63:18 72:8 discussed 17:8 19:7 20:11,13,15 21:18,22 22:2,9 40:20 46:23 47:15 71:15 77:9 82:6 discussion 52:15 67:12 disease 25:18 43:19 46:3 disk 43:19 46:3 84:22 </p>	<p> DISTRICT 1:1,2 diuretic 32:9,13 DIVISION 1:3 dizziness 60:20 dizzy 67:10 doctor 35:13 57:16 86:15,19 Doctors 9:9 doctor's 13:19 document 7:19 54:19 59:6 documentation 65:10 documented 20:16 37:16 55:22 61:2 65:8 doing 22:4 31:16 34:17 48:17 53:12 Donelson 5:4 door 41:6 dosage 30:4 dose 37:14 38:3 66:11 66:23 DOT 85:17 Dothan 1:23 2:8 5:19 6:8 7:1 82:16 Dr 2:4 6:17 8:10 10:4 13:14 46:3 57:3,19 61:14 62:20 89:3 drainage 22:15 50:8 66:6 67:11 dreams 61:5 62:8 drivers 85:18 drops 28:15 drowsiness 45:2,11 drug 41:3 50:10 drugs 44:8 drunk 67:1 due 52:2 61:3,4 70:13 71:1 73:13 duly 8:3 Durahist 48:5 duty 16:10 dyslexic 65:20 </p> <hr/> <p style="text-align: center;">E</p> <hr/> <p> E 4:1,5 5:1,1 ear 66:1,4 earlier 10:8 19:14 46:22 57:10 62:14 ears 64:2 67:9 eat 67:23 educational 8:20 effect 2:14 19:20 71:21 effective 3:6 effects 85:12 Eighty-two 10:2 </p>	<p> either 30:14 48:2 54:17 elevated 17:18 70:4 87:19 elevation 32:23 33:3 87:23 emergency 56:15 employer 52:22 employment 53:20 54:11 encourage 61:9 encouraged 64:7 ended 78:15 entire 16:1 23:18 environment 85:7 epidurals 85:1 Epinephrine 42:18 episode 41:15 Epupin 43:1,5 especially 32:14 45:6 establish 10:11 established 82:1 estrogen 16:14 17:9 18:13 evaluated 56:17 event 88:1 everybody 85:15 evidence 3:2 exacerbation 71:4 exactly 21:20 42:15 80:21,21 exam 17:20 25:20 27:2 28:6 49:19 60:22 64:4 examination 4:2 6:12 8:5 86:13 examined 8:3 excessive 83:18 excision 50:1 Excuse 22:23 88:19 exercises 34:23 Exhibit 89:3,13 exhibits 3:10 expected 84:12,15 expensive 23:21 64:21 experienced 51:8 experiencing 51:14 explanation 86:6 exposure 42:9 expressed 51:13 expressing 52:18 extra 30:3 extremities 43:22 eye 28:2,14,16 </p> <hr/> <p style="text-align: center;">F</p> <hr/> <p> F 5:3 </p>
--	---	--	---	--

<p>fact 81:11,12 filed 56:23 57:8,13,13 fairly 67:12 69:8 fallen 15:17 family 9:8,11,13 11:21 16:2 88:1 far 8:18 54:21 79:21 80:17 87:6 fasciitis 37:8 Fastin 47:16 fear 70:13 78:19 79:6 fears 53:4 February 14:10 45:14 67:6 federal 85:16 feel 67:17 feet 24:19 39:12 40:16 41:22 Feldene 44:5,13,15,21 Feldin 37:19 felt 67:9 71:17 76:20 76:23 female 27:2 57:4 61:15 61:15 70:20 73:14 74:1 76:8 females 32:14 fever 64:2 figure 27:16 gured 59:3 file 10:10,12 13:16 filed 3:13 8:13 54:2 find 10:15 fine 7:16,18 63:7 88:18 finish 14:20 73:1 finished 56:10 firm 10:7 first 14:9,12,13 62:2,6 62:16,17,19,23 70:15 76:3 77:9,14 78:7 86:18 Flavor 1:10 6:18 7:6 8:12 15:17 52:17 53:20 54:2,11 flow 76:2,11 fluid 32:15,16 67:9 fluids 64:8 followed 73:5 following 6:13 30:21 30:22 follows 8:4 follow-up 71:13 73:6 foot 28:21 34:23 37:6,9 38:19 force 2:14 foregoing 6:6 90:7,11 orever 84:17</p>	<p>form 2:21 Fort 74:2 forward 14:5 found 59:2 87:1 four 16:8 23:10 79:13 frame 79:3 Frank 55:7 70:14 78:19 Franklin 6:19 Freedom 7:2 frequently 69:3 full 2:15 fully 86:7 funny 31:11 59:23 further 2:11,18 38:5 86:12 90:14</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>gain 87:11,14,17 gasp 48:14 gastroesophageal 25:18 generally 26:7 42:4 generic 44:7 64:20 geographical 82:21 Georgia 9:9 gerd 18:19 25:17 getting 57:5 61:14 80:10 81:1 GI 37:18 give 13:3 16:23 22:17 45:12 66:21 67:3 given 28:3 29:21 32:6 32:17 57:10,15 60:19 65:16,17 70:7 90:12 gives 18:14 giving 23:16,20 83:20 go 8:19,22 10:11 13:5 13:21 14:5 16:2 21:9 35:18 43:7 53:1,6,9 53:11 57:3,19,22 59:13 61:11,13 67:22 67:23 70:13,18 72:17 73:10,12 74:4,7 77:23 81:3 82:16 83:18 89:11,16 goes 84:1 going 8:14 10:3,14 14:4 14:23 34:18 38:15 41:6 67:18 68:7 71:23 73:14 74:5,6 75:7,10 76:9,23 77:10,11 78:16 79:6 89:2 good 24:19 32:2 51:3 72:18 74:2 76:20</p>	<p>Goody 44:2,3 grabbed 59:18,18 Great 9:15 17:13 greater 43:22 Greenville 6:2 grounds 2:23 group 12:11,13 83:7,10 guess 13:16 15:18 51:16 52:16 66:12 78:10 84:6</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>H 4:5 half 29:18 30:3 32:7 71:7 83:4 hand 22:12,13 handwriting 20:19 21:6,7,8 happened 41:8 68:16 happens 41:18 harassed 22:3,7 37:23 61:6 68:7 harassment 21:19 38:7 51:7 52:23 61:5 62:10,11 67:14,16 68:13 70:8 72:2 73:9 hard 33:6 harm 68:8 head 41:20,21 56:21 headache 17:18 Headland 53:2 health 9:5 74:3 82:20 hear 47:23 heard 70:15 hearing 90:13 heartburn 18:20 heel 24:16 34:23 36:11 36:12 heels 24:17 28:22 29:3 help 10:19 31:15 35:16 42:22 47:1 50:23 66:21 67:2 76:23 helping 64:3 helps 32:15 45:5,7 high 39:22 71:1 87:20 higher 37:14 38:3 histamine 41:17 42:1 history 86:18 hives 41:15,16 Hold 10:15 12:22 78:5 home 42:23 43:5,7 hopefully 29:4 77:1 Hospital 9:10 hours 43:9 house 1:10 6:19 7:6 8:12 15:18 52:18</p>	<p>53:20 54:2,11 82:15 HTZE 39:19 huge 41:19 hurt 15:20 64:2 hurting 40:14 64:2 husband 53:9 74:2 80:5 80:6 husband's 81:2 Hydrochlorothizide 32:8 39:18,20 hypertension 32:5 71:4 87:20 hysterectomy 16:6 25:21</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>identify 7:3 impact 34:3 improperly 83:10 included 47:2 inconsistent 83:5 increase 21:17 40:11 increased 19:19 43:20 61:3 70:6 71:2 75:9 Indecadron 66:9 indicate 40:1 54:8 87:3 indicated 10:8 80:23 infection 49:20 64:6 66:4 inflamed 37:9 inflammation 16:20 47:5 48:3 injectable 36:10 48:9 insomnia 67:15 instance 83:19 85:17 insurance 44:10 57:22 58:2 70:21 73:13 79:17 insured 64:16 interest 59:5 interested 90:16 internship 9:9 introduce 89:2 involved 52:21,21 issue 53:15 63:13 88:2 issued 59:22 issues 57:6,22 73:13 84:13,15 itch 41:20</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>January 25:8 43:17 78:20 Jennifer 5:3 7:5 8:11 38:21 job 38:1 52:16 88:15</p>	<p>Joey 7:1 Jr 1:15 6:11,20 8:2,9 July 16:3 40:18 June 1:22 2:9 3:9 6:10 6:22 39:5 48:20 53:20</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>Kansas 9:6 keep 47:12 67:2 78:18 79:19 Keflex 22:14 48:5 kept 39:13 killed 88:15 kin 90:15 kind 8:18 19:9 23:6 48:13,14,15 49:4 54:17 72:10,10 75:16 78:16 82:19 84:16,19 kinds 15:9 85:20 Klonopin 50:9,23 53:1 61:6 69:6 71:10 73:18 75:14,15 knee 15:20,23 16:7,9 knew 54:18 knife 81:17 knocking 69:9 knot 21:14 know 11:10 15:22 17:2 18:16,17 19:21 20:10 20:14,14,20,23,23 21:22 23:18 24:8,9 25:22 27:2,13,22 29:17,23 33:6,9,16 33:16 35:10,15 38:23 38:23 39:13 42:9,15 46:14 52:7 53:4 54:13,13 55:5,20 56:1 57:18 58:14 60:16 61:12 64:15 65:21 66:20 69:21 70:10 71:17,21 72:5 72:5,7 74:6,11,18 75:17,19 77:4,10 78:8,10,16,23 79:4,9 79:18,21 80:1,2,6,9,9 80:12 81:5,8 82:2,4,9 84:2,17 85:23 88:22 knowledge 38:11,15 75:21 Kress 5:13</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>L 1:15 2:1 6:11 lady 76:17 Large 2:7 6:4</p>
---	---	--	---	--

asts 43:9 tely 43:20 70:6 latest 11:17 law 5:17 10:7 laws 2:16 lawsuit 8:13 52:22 54:2 54:4 61:3 67:13,22 68:4 76:13 leading 2:21 leave 82:15 leaving 48:13 left 16:9 25:14 28:7,10 28:20 37:6 43:22 47:13 50:12 53:19 54:11 leg 73:4 75:7,11 legal 85:21 lengthy 52:15 67:12 letters 39:2 Let's 10:13 56:3 81:10 Lewis 8:2,9 License 90:21 licensed 9:21 life 67:20 light 16:10 liked 76:16 likes 49:1 Linda 1:6 5:21 6:18 7:10 8:13 76:22 77:9 82:4,7,12 Linda's 82:3 list 76:1 listed 26:3 listen 48:1 little 10:19 19:13 20:1 20:21 21:2 24:17 29:13 35:7 37:13 38:3 39:21 48:16 50:23 51:2 67:10 71:11 72:19 75:16 81:13,14 85:15 89:1 lived 80:17 LLC 5:12 Lodrane 66:7 long 16:23 52:8 longer 52:17 71:12 look 10:14 16:7 56:3,5 64:17 77:13 78:5 85:16 looked 27:21,21 77:8 looking 10:20 11:20 58:12 66:5 77:7 looks 21:12 24:2 27:11 29:6,14 30:20 31:3 34:7 39:5 43:12 46:10,18 48:19 52:11	52:12 59:2,16 60:14 74:23 Lorcet 29:7,10 48:10 49:11 69:20 75:15 Lortab 17:3 22:19 24:10 26:19 27:10 29:7,12 32:20 36:6 38:20 65:1 69:20 losing 47:7 loss 20:11,15 lot 19:11 35:10 41:5,17 44:11 48:14 52:18 61:1 63:4 64:4,20 67:14 71:17 75:10 80:12 low 45:17,19 66:4,22 lower 19:6 32:17 43:21 LS 25:13 Lumbago 71:5 lumbar 25:13 28:5 39:11,15 43:19 64:4 75:10 lumbosacral 25:13 28:8 <hr/> M <hr/> machinery 85:6 main 10:20 40:13 making 11:19 56:21 71:18 mammogram 25:23 26:23 28:3,13 60:22 61:9,21 70:12 77:4 78:1,8 79:14 mammograms 53:7 March 28:17 46:7,18 70:2,3 marked 89:14 mast 41:17 42:22 matter 6:18 Maxitrol 28:14 ma'am 13:18 14:15 23:23 25:1 38:17 47:18 49:9 55:14 82:13 McClain 7:2 McNaughton 1:21 2:6 3:7 6:1 90:19 mean 27:3 33:5 35:9 38:19 59:20 63:15 79:1,4 means 90:9 media 66:3 medical 8:21 9:6 10:5 25:23 39:16 41:15 86:10,18	medication 23:15 30:1 35:2 48:22 69:17,19 71:12 84:17,19 85:5 medications 15:10 19:4 68:20 83:3 medicine 15:7 16:10 17:23 19:9 23:20 24:7 25:19 26:18,21 28:14,23 29:1 35:1 37:11 39:14 40:23 41:5 42:9 43:1,11,14 43:15 46:1,20,23 47:4 48:10 50:7 57:7 61:23 63:6,18 65:3 67:4 69:2,14 71:8 73:18 83:12,23 85:2 85:11,18 medicines 21:16 26:8 32:11 40:19 44:18 47:2 64:19 69:5 73:17 75:15 83:9 Medrol 34:23 36:8,9 48:9 meds 26:2 27:7 28:18 39:9 member 88:1 menopausal 16:5,12 18:9 menopause 18:12 35:5 35:10 mental 82:20 mention 65:5 mentioned 11:15 48:12 64:11 mentioning 81:11 messed 31:1 Methadone 85:19 Miami 9:1 Michael 9:18 middle 1:2 26:14 72:21 milligram 37:12,13 milligrams 29:11 mind 36:5 minuses 16:14 minute 56:7 88:7 minutes 21:7 misdated 58:18 missed 28:4 61:10 79:8 mistaken 64:14 moment 13:7 month 49:3 56:20 79:20 83:8,13,21,22 monthly 52:14 67:7 months 81:22 mood 35:11 morning 32:9	mother 61:7 64:3 77:3 Motrin 16:22 37:19 movement 82:20 MRI 39:15 46:4 70:17 79:15 84:20,21 multiple 43:2 muscle 28:9 43:23 44:22,23 45:4,22 47:3 65:3 muscles 45:7,18,19 Musinex 64:8 myositis 28:9 M-A-X-I-T-R-O-L 28:15 <hr/> N <hr/> N 2:1 4:1 5:1 name 7:1 8:7,10 12:12 41:15 54:23 70:16 72:6 named 55:7 names 56:1 narcotics 48:23 nasal 17:22 Nasonex 17:22 nature 38:6 65:7 72:11 nausea 15:7 nearby 80:16 necessary 2:19 neck 17:19 18:2 necks 17:22 need 8:1 12:19 19:11 25:21 41:7 49:6,22 56:9,12 77:5 needed 16:3 21:16 24:6 25:20 27:1 28:2 32:20 46:9,20 74:6 needs 27:7 77:4 88:15 neither 90:14 never 57:14 new 69:1 Nexium 18:6,18 24:10 26:4 32:18 41:2 night 32:8 45:12 48:15 nightmares 63:15,16 Nineteenth 5:14 noises 47:23 noncoverage 70:21 nonsedating 43:8 69:7 nonsteroidal 16:21 37:17 normal 32:1 47:9 North 5:6,14 nose 17:18 Notary 2:6 6:3 note 10:23 11:2 16:4,10	29:15 34:14 48:16 52:4,11 56:4 57:21 60:11,12 73:2 75:11 76:6 notebook 56:13 notes 10:9,14,21 13:19 38:6 77:8 81:4,13 89:4 notice 41:1 72:17 noticed 49:21 November 24:2,21 62:1 number 1:5 6:20 19:6 30:8,17 89:13 90:21 nurse 26:9 29:20 44:4 60:21 65:20 73:15 76:4 <hr/> O <hr/> O 2:1 object 51:19,22 54:3 85:8 objection 54:6 86:21 87:5 89:9 objections 2:20,23 obvious 38:10 occur 42:10 occurs 42:7,8,13 43:2 October 21:12 56:4,7,9 58:1 62:18 offered 3:2 office 10:5 30:18 31:22 46:18 64:18 78:3 offices 2:7 6:8,23 oh 14:21 22:10 24:21 31:17 34:17 35:13 88:7 okay 6:15 7:23 9:2,7,12 9:19 10:1,3 11:3,9 12:14 14:13,16 17:3 17:6,10,13 20:10,18 22:10 24:20 25:7 26:2,13 27:3,6,11 28:17 31:1,2,17,19 34:15 35:8,17 36:13 36:23 37:3,15 40:17 41:9,12 42:16 45:10 46:7 47:10,19 49:7 50:5 51:12 52:11 56:3,11 58:4,11,22 60:8,11,14,17 62:13 63:21,22 64:22,23 65:9,12 67:5 70:1 73:2,20 74:10 75:22 79:10 80:22 84:12 85:4 86:1 88:13 old 52:19 53:5 54:10,21
--	---	---	---	--

<p>Omeprazole 44:6,6,17 ace 42:13 66:19 85:13 ones 11:17,20 26:11 ongoing 73:9 opened 78:13 operate 85:6 opinion 19:18 86:3,10 oral 3:8 6:12 order 13:23 14:3 27:12 28:2 53:3 58:23 65:16,17 75:1,5 86:19 ordered 26:23 original 3:8 originally 78:2 osteopathic 9:6 otitis 66:3 outside 61:13 overall 45:8 overweight 19:23 20:2 Oxycontin 85:19</p> <hr/> <p>P</p> <p>P 2:1 5:1,1 page 4:2 26:15 29:15 31:9,14 47:14 74:19 75:23 pain 16:10 17:4,5,19 18:2 22:18,18 24:11 24:14,16 25:12,16,17 25:19 26:18 28:6,7,9 28:14,20,21,21 29:1 32:6,6 34:23 35:1 37:10 39:11,14 40:21 40:23 43:11,20,21 45:6,9,15,18 46:1,21 47:4,22 48:11,23,23 50:6 56:17 60:23 61:22 64:4 65:3 66:2 66:4 67:3 69:16,19 70:11 71:5,8 73:4,4 73:18 75:6,6,10,10 76:13 78:12 83:2,6 83:11,17,19,23,23 84:2 85:2,5,10,18 painful 66:3 palm 22:13 Pantazis 5:12 pap 25:22 papers 31:1,18 part 17:20 particular 53:16 55:7 58:1 parties 2:3,22 90:15 parts 84:14 asses 88:1</p>	<p>patch 83:23 patient 22:9 27:6 43:5 49:2,23 76:10 86:18 patients 45:5,6 50:4 83:7,8,11,12 Paxil 16:12 17:11 18:4 18:7 22:17 24:10 35:3,5,16 36:15,16 36:21 37:12,13 38:2 40:23 44:2 46:9,11 50:15,17 PC 5:5 7:1 PE 48:6 pelvic 25:20 people 45:23 47:7 54:15 69:8 76:9 83:18 84:18 85:10 period 83:4 85:13 person 54:9 55:1,6,7,10 61:5 68:6 88:9 personal 38:14 86:17 person's 70:16 pharmacy 9:4 phone 49:2 74:9 phoned 37:2 physical 51:15 55:23 68:7 physician 15:19 pill 39:21 pills 83:22 place 59:21 places 50:4 67:23 70:18 77:11 plaintiff 5:10 7:9 Plaintiff(s) 1:8 plan 44:10 plant 85:7 plantar 37:7,8 plantares 37:6 please 3:11 8:8 31:15 54:6 plus 64:5 pluses 16:13 pneumonia 48:2 pocket 81:16 point 21:21 23:8 32:21 51:12 52:17 53:8 57:14 61:13 64:16 70:5 71:6 72:4 Police 53:2 poorly 71:3 popping 25:14 pounds 19:23 20:1 33:21,22 powders 44:2,3 powerful 17:1</p>	<p>practice 9:8,14 11:21 practitioner 9:11 Prednisone 16:11,16 16:18 24:14 29:2 43:10 Premarin 18:5,11 preparation 42:20 prescribe 44:11 68:21 prescribed 26:5,22 49:10 prescription 32:18,20 42:23 Present 5:21 pressure 17:18,23 18:23 19:3,13,19,19 20:4 23:1,15 29:16 29:19 30:10 31:3 32:10,12,17,22 33:3 34:3,20 35:2 39:23 40:11,20 51:16 52:2 52:6 60:23 61:20 67:3 69:14 70:4 71:1 71:14,19 73:6 87:9 87:19,20,23 pretty 24:18 46:6 48:21 52:15 66:3 69:3 80:16 Prevertebral 45:18 previous 16:5 26:12 52:22 56:6 61:4,10 73:10,12 79:16 previously 18:10 28:22 57:13,14 69:15 Prilosec 44:7,7 primarily 22:1 61:11 primary 15:19 prior 3:2 10:6 37:11 52:16 57:12 63:11 probably 23:8,9 27:17 27:19 32:23 33:4 34:20 35:7 51:1 65:15,18 77:13 78:7 79:12 81:21 problem 30:8 43:6 47:8 58:2 problems 37:20,21 79:16 84:23 Procedure 3:5 6:6 proceedings 6:13 produced 10:10 13:23 74:14 Products 1:10 6:19 7:7 8:12 progress 10:13,21,23 11:1 13:17 43:3 57:21</p>	<p>progresses 41:22 prompted 53:14 properly 49:4 Protonix 41:1 provided 10:4 psychologist 57:4 public 2:7 6:3 67:23 70:18 77:6,11 pulling 64:3 purpose 35:4 pursuant 6:5 push 64:8 put 15:20 17:11 19:14 26:15 39:21 44:5 56:23 57:1 70:16 72:22 p.m 2:10 6:10</p> <hr/> <p>Q</p> <p>qualifications 8:20 question 2:22 14:20 30:9 questions 2:21 8:15 72:18 90:8 quicker 17:2 Quinn 5:12 quite 63:13 quitting 38:1</p> <hr/> <p>R</p> <p>R 5:1 reaction 42:5,22 reacts 42:3 read 7:19 17:6,7 20:22 21:8 31:11 reading 2:12 21:2 73:1 ready 43:7 real 75:18 really 27:8 29:4 30:8 35:14 40:14,14 58:19 61:8 67:17 70:4 73:23 76:21 77:14 78:8 reason 27:9 40:15 42:14 49:5 50:20 59:7 64:18 77:18 82:20 83:7 reasons 80:10,23 recall 20:9 21:19 53:17 54:12 55:21 65:9 72:3 81:19 receive 8:21 received 13:15 59:21 88:8 record 6:21 8:8 13:10 35:19,23 89:1,17</p>	<p>records 59:21 64:17 red 41:19 reduce 32:16 85:2 reduces 45:8 refer 73:14 referral 74:7 refill 24:6 38:20 39:8 39:14 40:19,23 45:23 49:6 76:11 refilled 21:16 27:7,8,10 39:17 43:10 57:7 refills 28:17 40:21 46:21 reflux 25:18 44:9 refused 70:18 regimen 83:12,17 regular 47:2 50:2 85:22 regularly 85:5 regulations 85:17 related 46:1 relating 2:16 87:23 relationship 8:16 52:5 relax 44:23 45:8 relaxant 44:1,23 45:22 47:3 relaxer 45:4 65:3 released 42:2 releases 41:17 relieve 53:4 reliving 67:16 reluctant 70:13 73:10 rely 86:16 remember 20:16 38:8 51:9,11 54:20,22 72:4,7 80:13 81:11 remove 50:4 removed 49:18 Renny 1:21 2:5 3:6 6:1 90:19 reported 30:12,17 33:11 51:15,21 52:1 57:11 62:7 63:12 80:20 81:4 86:17 Reporter 2:6 3:12 6:2 7:14 14:19,22 90:20 reporting 7:3 87:3 reports 13:17 represent 7:4,6,9 representing 7:2 10:7 represents 8:12 90:11 requested 76:7 rescheduled 66:16 respective 2:3 respiratory 49:20 64:5 response 10:5</p>
--	--	---	--	--

FREEDOM COURT REPORTING

Page 96

<p>est 26:22,22 59:18 estraining 53:3 restrict 82:20 result 42:8 90:17 retain 32:15 retained 3:12 retention 19:7 retrospect 78:21 returned 34:19 reverse 14:3 42:22 RF 38:19 rhinitis 17:21 Richard 1:15 6:10,17 8:2,9 ride 70:10 right 8:17 9:16,22 11:20 12:8,12 13:17 14:11,12 15:12 17:13 18:21 21:5,14,15 22:8,20 23:2,3,6,7 24:1,11 25:4,9,10,13 26:3,8,20 28:2,6,19 30:5,5,19 31:21,23 33:15 36:18,19 37:5 38:18,19 39:3 40:1,4 40:19 41:12,14 43:16 43:23 45:16 46:13 47:13,20 48:8,21 49:18,22 52:13 57:17 58:6,7,19 62:22 63:20 65:4 66:1,3 67:7 70:3 73:4 75:5 86:5,8 87:8 88:17 89:12 risks 16:14 17:8 Robaxin 43:23 44:22 Robertson 4:4 5:11 7:8 7:9,17,23 9:17 11:18 12:7,11,19,22 14:2 18:14,17 21:1,6 31:5 31:10 35:13,18 38:21 51:19 54:3 56:12 58:17 59:1,8,15,20 60:3 65:19 72:20 74:11,15 81:9 85:8 86:14 88:14,19 89:5 89:10 Rocephin 48:8 66:8 room 56:15 Rosemoore 9:18 routine 34:22 48:22 85:22 Rucker 74:3 Rule 3:4 rules 2:16 3:5 6:5 anning 52:19</p>	<p>S S 2:1 4:5 5:1,2,10,16,18 6:23 safely 85:6 safety 67:21 68:1,5 salt 19:7 samples 23:17,20 29:21 35:1 36:14 71:8 saving 59:5 saw 70:1 76:15 saying 54:20 86:9 says 17:7 22:6,8 27:4 37:5 38:18 40:2 scale 72:10 schedule 28:12 50:1 78:7 80:14 81:2 scheduled 25:23 39:15 53:7 61:21 66:15 77:17 78:2 school 9:6 science 8:23 9:3 Sciences 9:5 screwdriver 81:16 second 10:16 32:12 78:2,4 secondary 32:23 33:4 sedating 45:22 see 10:13,14 14:17 15:1 15:21 18:23 25:5 31:13 34:13,13 39:17 40:22 49:2 50:18 57:3,19,20,22 59:15 59:15 63:7 70:20 71:17 74:1 75:14 78:14 81:10 83:8 seeing 54:21 seen 54:9 75:12 76:19 send 43:4 sense 27:23 sent 15:18 42:23 separate 13:15 September 41:13 43:13 56:10 62:15 63:11 77:12 served 10:6 54:4 88:9 service 76:9 Services 72:15 73:15 73:22 74:4 75:13 76:7 Seven 62:3,5 severe 56:18 sexual 21:19 52:23 70:7 72:2 sheet 76:2,11 she'd 15:20 16:5 21:17 24:12 25:21 54:11</p>	<p>56:15 61:6 70:7 77:14 shock 20:18 42:1 short 60:7 84:6 86:1 shortness 41:23 shot 34:22 42:17,18,21 46:5 47:4 shots 50:8 64:10 66:8 69:11 shoulder 17:19 18:3 22:18 24:11 25:12,14 25:17 28:6,7,11,20 32:5 show 10:3 59:9 84:22 showing 19:11 sic 62:18 side 22:13 37:7,9 43:22 47:13 sign 7:19 signature 2:12 significant 17:20 similar 41:3 87:21 sinus 14:18 64:5 sinusitis 17:21 22:11 49:19 66:2 sit 70:11 83:15 situation 40:6 54:15 67:14 situational 71:4 87:19 87:21,22 six 81:22 skeletal 44:23 45:21 skip 34:12 74:19 sleep 45:3 48:17 sleeping 51:1 73:11 76:14 sliding 72:10 small 66:11 smear 25:22 smoked 20:7 smoking 20:3,12,14 snoring 48:14 social 76:9 sodium 18:1 somebody 41:6 48:1 54:18 63:10 81:14 83:6,16 sore 15:2 soreness 28:10 sorry 14:21 20:23 21:3 24:21 33:14 34:17 38:22 47:14 58:10 62:4,18 70:2 84:5 86:2 sort 13:21 14:4 49:6 71:20,21 75:1 78:13</p>	<p>sound 66:23 source 82:11 SOUTHERN 1:3 spasm 45:7 speaking 79:11 specific 22:4 42:14 50:10 75:21 88:1 specifics 33:7 41:10 75:18 speed 72:19 spin 56:21 spine 39:16 splint 15:20 spray 17:22 SSRI 61:18 St 5:18,18 start 14:4,22 19:13 46:11,15 72:21 started 52:9 79:5 starts 43:3 state 2:7 6:3 7:4 8:7 9:21 49:1 54:5 90:3 stated 15:23 36:6 37:22 73:22 STATES 1:1 stay 64:19 84:16,18 stenotype 90:8 stick 81:14,18 STIPULATED 2:2,11 2:18 stipulation 6:7 stipulations 7:15 stomach 16:1 stopped 61:16 64:13 stopping 20:12 store 54:14 80:15,18 straight 83:15 street 5:6,14 88:16 stress 21:18 33:1,4 37:21 51:7 52:3 61:1 61:3 70:6 71:18 88:4 strike 87:18,18 stuck 74:18 studies 19:10 study 48:17 stuff 25:13 74:13 77:21 85:20 sty 28:2,16 subpoena 10:6 88:9 subsequent 10:9 12:17 sudden 77:18 suggest 58:8 suggested 57:3 58:8 62:17,19 63:1 Suite 5:7 supposedly 55:16</p>	<p>68:16 suppress 47:1 suppressant 47:18 sure 7:17,18 11:19 14:6 19:8 30:9 31:5 36:5 43:5 45:13 49:3 60:3 66:14 82:1 83:9 84:3 86:7 surrounding 45:19 Swain 3:8 4:3 5:3 7:5,5 7:16 8:6,11 12:21 13:1,6,13 18:16 21:10 31:8 35:20 36:3 38:22 39:1,4 51:23 54:5 58:15,22 59:4,11,14,17 60:1,4 60:10 72:16 74:13 86:15,21 87:5,8 88:17,22 89:7,11 swear 7:12 swelling 16:19 swings 35:11 switching 31:18 sworn 7:13 8:3 symptom 87:10,13 symptomology 87:2 symptoms 16:5,12 18:10 35:5 51:15</p> <p>T T 2:1,1 4:5 tablets 83:21 tail 58:21 take 29:18,20 30:2,15 30:16 32:7,18 37:17 44:16,17 50:16,20 60:1 76:5 83:12,15 83:21 84:3 85:18 taken 2:5 3:9 13:19 30:11,11,14 44:2 49:4 57:11 60:7 88:16 90:7 talk 48:16 57:4 79:5 talked 16:13 18:10 54:13 55:19 56:21 60:18 67:15 68:1 75:16 77:15 78:4 talking 55:11 72:4 76:22 77:23 tape 6:17 teenagers 88:5,6 telephone 74:12 tell 26:13 40:5 53:14 54:23 59:4 68:3,9,12 81:15 82:14 87:7 telling 78:15</p>
---	--	---	--	--

FREEDOM COURT REPORTING

Page 97

<p>*ender 45:20 nderness 25:14 28:5 28:8 tendonitis 24:17 28:10 37:6 tendons 37:8 tends 45:2 terms 80:22 terribly 19:16 test 47:6 77:22 testified 8:4 62:14 testimony 1:14 3:9 90:12 tests 53:11 77:17 80:11 81:1 Thank 31:16 51:23 88:13 thereto 3:3 90:9 thick-tongued 66:23 thing 10:20 19:9 22:7 27:16 29:5 44:21 45:17 49:4 76:21 88:23 things 13:20 42:11 56:1 77:2,5 78:12 79:13 85:1 86:19 think 10:17 11:12 13:22 22:1 27:14,17 27:19 28:4 30:3 31:12 33:2 34:2 50:19 57:20 58:9,19 58:21 59:6 62:13,14 65:15 68:10 75:18 76:18,21 77:16 78:13 78:14 80:16 81:23 88:11 89:5 thinking 38:1 64:14,15 72:22 79:9 third 69:1 Thornton 1:6 5:21 6:18 7:10 8:14,16 14:14 15:13 19:22 20:7 21:12 51:5 53:19 72:8 82:14 86:16 Thornton's 19:17 83:2 85:4 thought 24:16 34:11 61:15 64:12 67:1 74:1 79:6 threatening 55:20 three 23:9,10 42:21 79:13 throat 15:2 43:3 thyroid 47:6,8 time 3:1,1 6:21 14:13 14:16 15:1,13,16</p>	<p>16:15 17:14 18:8 20:9 21:11,17 22:3 23:19 24:1,7,20 25:7 26:23 29:2,21 31:2 32:17 33:6 37:10 39:11 40:13,17 46:2 46:22 48:4 50:2,18 50:19 52:8,13,16 54:1,10,16,16 59:5 59:22 61:21 62:2,23 63:6 66:14 69:17 70:15 77:9,14 78:7,9 78:15 79:2 85:14 88:21 times 24:12 41:6 42:13 43:2 44:11 63:4 66:16 80:15 today 8:15 74:14 89:6 89:7 toe 41:20 told 18:1 21:17 22:16 25:19 26:23 28:12 32:7 35:2 36:7 38:2 38:11 39:12 49:22 52:21 53:1,19 54:16 56:19 64:6,7 66:9 69:11 70:5 73:18 81:20 88:11 tolerate 44:19 tolerated 16:21 17:1 top 38:18 41:21 tough 29:5 Tower 5:6 town 82:17 track 49:20 64:5 transcribed 90:9 transcript 3:8 90:12 transcription 90:10 treat 15:15 23:9 29:5 63:5 treatable 84:22 treated 14:14 15:5,13 17:14 21:11 24:2,20 25:8 treating 19:13 23:19 84:2 treatment 8:15 19:12 24:3,5 87:1 89:4 trial 3:1 tried 37:19 44:16 61:6 61:17 64:19 71:16 72:14 78:7 trigger 42:11 triggers 42:12 trouble 21:2 truck 85:18</p>	<p>true 90:11 truth 87:4 truthful 87:6 try 45:7 51:10 63:5,9 73:16 81:9 83:8 trying 39:16 61:8 76:17 88:11 turn 41:19 Twentieth 5:6 twice 70:22 76:5 two 13:2 29:9 44:19 59:23 60:15 83:3 type 16:18 45:21</p> <hr/> <p>U</p> <p>U 2:1 uh-huh 11:8 22:22 25:11 30:23 33:12,12 49:12 50:22 62:9 69:23 unable 37:17 70:20 73:12 78:18 80:13 understand 82:2 84:4 86:7 understanding 20:6 53:8 78:17 understands 87:4 understood 51:13 UNITED 1:1 University 9:1,4,5 upper 49:20 64:5 upset 37:18 75:19 urticaria 41:16 42:7,10 use 48:23 83:2 85:4 usual 7:14 28:23 32:4 49:16 66:4 67:7 75:14 usually 16:20 17:1 19:5 24:9 32:13 33:5 43:1 49:1,23 50:1 51:10 63:8 66:22 83:13</p> <hr/> <p>V</p> <p>v 1:9 Valium 69:6 Varner 46:3 Vaxum 71:7 versus 6:18 video 89:17 VIDEOGRAPHER 6:15 7:11 13:5,8,11 35:21 36:1 60:6,8 88:20 89:16 videotape 6:16 virus 16:1 visit 15:5 21:23 22:23</p>	<p>23:13 26:1,12,16,17 26:22 27:11 33:17 34:22 36:4 37:12 38:4 39:9 40:6,9 41:12 43:18 45:13 46:18 48:19,22 50:3 51:4 52:12 53:16,23 55:3,4,7,18 56:16 58:1,9 62:1,7,15,16 62:19 63:12,23 65:6 65:12 67:5 68:21 71:23 72:13 77:12 78:3 visits 39:22 41:2 55:22 63:17 69:15 77:17</p> <hr/> <p>W</p> <p>Wachovia 5:6 wait 56:7 88:7,7 waived 2:13 want 7:18 8:22 59:12 59:14 61:11,13 62:20 67:19 wanted 8:19 10:11 29:17 40:15 46:11,14 49:18 52:23 66:21 67:8,8,19 71:9,12 73:23 77:2 wanting 36:21 wants 88:8 wasn't 16:2 19:16 23:17 24:8 60:16 76:14 78:9 79:16,17 watch 18:1 water 39:21 way 49:3 52:9 70:10 72:1 78:4 Wednesday 6:22 week 39:13 40:3 75:9 weekend 70:8 weight 19:17,20 20:11 20:15 33:17 47:7 87:9,11,14,16 weird 60:14 Wellbutrin 56:23 57:9 welts 41:19 went 9:4 16:1 29:7 43:21 44:4 57:18 64:13 76:15 78:15 82:3,8 We'll 89:16 we're 6:20,23 13:8,11 23:11 35:21 36:1 60:8 we've 79:13 81:23 wheezes 47:23</p>	<p>Wiggins 5:12 Williams 6:19 55:8 70:14 78:19 witness 2:13 6:11 7:12 7:13,21 8:1 9:19 11:16,22 12:9 14:21 31:7 38:23 56:14 58:20 65:21 74:17 90:13 woman 88:12 woman's 88:15 women 35:10 word 44:7 work 15:17 16:2 21:18 22:3,3 32:23 33:4,7 37:22 39:13 40:2,6 44:11 52:2 68:18 73:23 81:2,13 84:23 85:6 88:4,4 worked 54:14,18,18 61:14 64:12 80:11,17 82:7,10 working 63:8 79:2 workplace 38:16 51:7 53:6 82:3,8 works 14:7 29:12 53:10 63:7 69:7 80:14 worried 66:12 67:21 73:9 worse 23:5 64:4 67:17 70:11 71:19,20 wouldn't 53:6,11 67:22 wrist 21:15 49:18,22 write 21:20 26:11 27:15 50:12 51:10 81:12 writing 31:11 written 23:17 24:8,10 33:8 wrong 27:13 31:8,19 wrote 27:14,15 32:21 48:15</p> <hr/> <p>X</p> <p>X 4:1,5 Xanax 61:22 Xanax 66:11 69:5 71:11 x-rays 15:19 46:4</p> <hr/> <p>Y</p> <p>Yea 74:20 yeah 9:23 11:1 12:11 12:14,14,21 13:6 14:23 29:16 33:16 34:19 43:15 46:8</p>
--	--	---	--	--

52:10,10 58:17,21 59:1 62:15 63:3 65:17,17 66:17 73:3 74:17,17 75:4 76:1 78:6 79:21 81:6 88:6 89:5,7 year 10:1 11:6 83:4 years 9:11 23:9,10,10 46:2 84:19 y'all 31:5,10 36:23	75:4 16th 25:8 28:17 56:4 1600 5:7 17th 70:2,3 77:12 18th 40:18 43:13 180 83:21 1988 3:6	5/16 75:2 5/25/06 36:19 5/29 37:3 5/29/06 34:11 5/3/06 34:7 5:12 60:6 5:15:27 60:9 5:48:06 89:17 500 29:12		
<u>Z</u> Zanaflex 45:21 47:3 Zolof 57:1 60:19 61:17 64:11,13 66:10 69:12 70:23 71:9	<u>2</u> 20 37:11 71:7 20th 39:5 2000 62:18 2005 14:10 21:12 24:3 2006 25:8 53:21 78:20 2007 45:14 48:20 49:14 51:5 56:4 62:2,15 63:11 77:12 2008 1:22 2:9 3:9 6:10 6:22 70:2 22nd 67:6 23rd 46:18 235 19:23 20:1 24 9:11 43:9 25 66:11 25th 24:21 25/07 65:14 259.3 33:18 28th 14:10	<u>6</u> 6/5 11:5,11 6/5/08 76:12 60 83:20 650 29:11		
<u>0</u> 05 17:15 25:6 27:15 06 27:15,18,19 28:17 36:4 39:5 40:18 41:13 78:6 07 11:13 43:17 46:7,19 47:19 58:20 08 65:15 67:6	<u>3</u> 3rd 36:4 30 21:7 33:22 30th 47:19,20 301 5:14 35 33:21 35203 5:15 35203-5202 5:8 36301 5:19 367 5:18	<u>7</u> 7 59:2 7th 16:3 7/19/05 15:14 750 44:22 79th 9:20		
<u>1</u> 1 4:6 6:16 65:13 89:3 89:14 1/16 78:6 10th 24:2 49:14,15 51:5 105 70:5 107cv-712-WKW 1:5 107-CV-712-WKW 6:20 11 1:22 11th 2:8 3:9 6:10,22 11/02 59:16 11/25 25:6 11/30 11:23 58:13,14 58:15 11/30/02 58:18 11/30/07 60:13 12 71:7 12D 66:7 12th 41:13 12/19 12:3,4,5,10 12/19/07 63:23 120 31:3,7,19 123 73:7 130 18:23 138 29:16 30:6 140 23:1,4,6,13 147 70:4 33:6 46:2 5/12	<u>4</u> 4th 48:20 4/14 73:3 4/16 76:6 4:15 2:10 6:9 4:17:15 6:21 4:22 13:9 4:27 13:12 4:47 35:22 36:2 40 37:13 411 90:21 420 5:6	<u>8</u> 8 4:3 49:13 8th 16:3 43:17 80 23:1,4,14 31:7,20 84 73:7 85 19:7 86 4:4 89 4:6		
	<u>5</u> 5th 21:12 45:14 5(d) 3:4 5/12 11:10 74:22 75:3,6	<u>9</u> 9th 16:3 46:7 9/07 81:9 9/17/07 52:12 9/9 17:15 90 18:23 19:10 31:3,6 83:20 99 29:17 30:6,7		

PRESS NOTES

DATE
OF BIRTH

5/16/64

PG#

Formedic

TIME

HT

BMI

BP

P

T

ALLERGIES

PT C

PAGE # CHART #

Thornston, Linda

N/A

8/05

224⁶T 97⁴

BL. O

BP 122/72

Go sore throat

Cough - yellow phlegm

Smoker..

1/5 Hypertension

Chest pain 1/04

m.H. 0

Chest pain

3A - Latent MLE Age 60

w/ Coarctation

Chest 0

Chest 0

① ① Smoker
① ① Vase

(P)

Keflex 500 TID

Amoxicillin 2.0g BID

Humira 5-10

Round 20 in
December 4/04

Promethazine 25mg 1/4-1 for nausea

FAMILY PRACTICE CENTER OF ABBEVILLE

217 DOTHAN ROAD

ABBEVILLE, AL 36310

DEFENDANT'S
EXHIBIT

Recommend Blaine MAG-OX 400™

Cost, Convenience, Compliance

BLAINE

FAMILY PRACTICE CENTER OF ABBEVILLE, PA
217 DOTHAN RD
ABBEVILLE, AL 36310
334-585-6421

OFFICE VISITS

NAME

ADDRESS

E
DIAGNOSIS
CPT CODEMARITAL STATUS
S M T W D SEPDATE OF
BIRTH

PHONE (H)

(O)

Formedic

Linda Thornton

S M T W D SEP

5-16-64

E
DIAGNOSIS
CPT CODE

HT

WT

234.0

BP 130/90 P

T 98.2

All NKDA

11/19/08

C/O Last wk pt fell @
work - FLYING HORSE -
pt went to Primecare
X-rays taken - Splint -
NOT any better now -
Swelling has gone down

Rx Nexium 40mg qd

pt had stomach virus that
went thru whole family
July 7, 8-9, pt returned to
work on July 11 -
HR request for excuse for
those days -

Menstrual Syndrome - TAA - has @ any

(Exam)

(E) knee - Contusion (E) knee
4cm laceration notal (E) knee

(Pain)

(E) Contusion (E) knee 7-13-07
(E) Menstrual (E) HPM -

(Pain)

(E) Presence 20mg
3days 45d

(E) Contusion

at 30 -

(E) light duty

Denial notes
& removal
of cast

Revised to
way

FAMILY PRACTICE CENTER OF ABBEVILLE, PA
 217 DOTHAN RD
 ABBEVILLE, AL 36310
 334-585-6421

OFFICE VISITS

NAME

Linda Thornton

MARITAL STATUS
[S] [M] [W] [D] [S] [E] [P]

DATE OF BIRTH

5/16/64

Formedic

ADDRESS

PHONE (H)

(O)

E
DIAGNOSIS
CPT CODE

HT

WT

235

BP

130/90 P 88

T

98.3

NKA

2-9-05 C/O Nose bleeds

HA
↑ BPChronic Shoulder Pain
& neck PainRx:
Paxil
Prenatal
Nexium(Ins) Rhinitis
SinusChronic NSA
Low CFAChronic
bleeding(Ins) ① Sinus
② ↑ BP

③ Chronic neck & back pain

(Ph)

① Narcolepsy (NS)

② Benadryl 20 (Cough)

- (1/2 day) Cough

③ Upstate Ala. Cough

④ Lorazepam 10

#60

1/2-1 PRN

A

FAMILY PRACTICE CENTER OF ABBEVILLE, PA
 217 DOTHAN RD
 ABBEVILLE, AL 36310
 334-585-6421

OFFICE VISITS

NAME Thornton Linda MARITAL STATUS 5-16-64 DATE OF BIRTH 5-16-64 Formedic
 ADDRESS PHONE (H) (O)

DATE 10/5/08 HT 5'10" WT 241.0 BP 140/80 P 91.3
 DIAGNOSIS CPT CODE

10/5/08 Prof Dr (R) Wrist

Diagnosed -

Arthritis meds Refilled

All NKDA

At home A wrist strain - very painful - denied EPT

Dr Jones

Camp PMA

Long course of

Aspirin

Left 1st met

palmar aspect heel

Meds

Payel
Drennen

Next visit 40ms - 8d

Horatio 10/08 1/2-1/3

① Sim drug

② VR1

③ Easy Pains

④ Chin Shiner

⑤ Unkitt - work stress

① Left 10/610 8th

② Left 10/610 8th

③ Left 10/610 8th

④ Left 10/610 8th

⑤ Left 10/610 8th

⑥ Left 10/610 8th

⑦ Left 10/610 8th

⑧ Left 10/610 8th

⑨ Left 10/610 8th

⑩ Left 10/610 8th

⑪ Left 10/610 8th

⑫ Left 10/610 8th

⑬ Left 10/610 8th

⑭ Left 10/610 8th

⑮ Left 10/610 8th

⑯ Left 10/610 8th

⑰ Left 10/610 8th

FAMILY PRACTICE CENTER, PA

217 DOTHAN RD

ABBEVILLE, AL 36310

[Signature]

FAMILY PRACTICE CENTER OF ABBEVILLE, PA
217 DOTHAN RD
ABBEVILLE, AL 36310
334-585-6421

Formedic

OFFICE VISITS

MARITAL STATUS
S M W D SEPDATE OF
BIRTH

5-16-64

PHONE (H)

(O)

ME

Thornton, Linda

DRESS

HT

WT

241.4

BP

124/80

P 92

T 97.3

TE
DIAGNOSIS
CPT CODE

11-10-05

4:05

- Needs refills on prescriptions

NKA

Eti O

Omeprazole

Lorazepam

Amitriptyline

Kelex

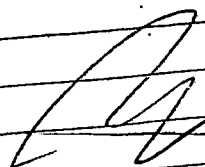
Meds refills on prescriptions
(R) ShindlerRx Nexium
Lorazepam
PaxilTenderness
Omeprazole 40mg

Lorazepam 10

#100

Paxil 70 3dx57

well known

FAMILY PRACTICE CENTER OF ABBEVILLE, PA
217 DOTHAN RD
ABBEVILLE, AL 36310
334-585-6421

FAMILY PRACTICE CENTER OF ABBEVILLE, PA
217 DOTHAN RD
ABBEVILLE, AL 36310
334-585-6421

OFFICE VISITS

NAME

Thornton, Linda

MARITAL STATUS
[S] [M] [W] [D] [S] [P]DATE OF
BIRTH

5-16-64-

Formedic

ADDRESS

PHONE (H)

(O)

DATE

DIAGNOSIS
CPT CODE

HT

WT

BP

P

T

11/25/05 Pt. phoned request Rx cough call to K-Mart North
724-0623. Contact 632-1883 / JG

A. Thomas
15000

+ top qd m/n/ke.

FAMILY PRACTICE CENTER OF ABBEVILLE
217 DOTHAN RD
ABBEVILLE, AL 36310

FAMILY PRACTICE CENTER OF ABBEVILLE
217 DOTHAN ROAD
ABBEVILLE, AL 36310

RTI for release
no pay
Health Exam
& Schedule
for marriage
S.M.A.

OFFICE VISITS		MARITAL STATUS		DATE OF BIRTH		Formedic	
NAME	ADDRESS	ST	MT	W	D	SEP	
		PHONE (H)		(O)			
DATE	DIAGNOSIS	HT	WT	BP	P	T	
CPT CODE							
2.14.05			248				
	- Style (2) eye						
	- Order for mangum						
	luncheon tender -						
	Chorin @ Stoucken par						
	End						
	Cure 4						
	Len 4						
	and 8						
	to @ Stoucken par						
	luncheon - 15 tenders						
	Chorin Par						
	My order						
	Tender @ Stoucken						
	Schedule for mangum Stoucken						
	luncheon 10/10/05 & 10						
	Maxwell 4/10						
	2/15/05 @ Stoucken						

FAMILY PRACTICE CENTER OF ABBEVILLE, PA
217 DOTHAN RD
ABBEVILLE, AL 36310
334-585-6421

OFFICE VISITS			
NAME	Linda Thornton	MARITAL STATUS	DATE OF BIRTH
ADDRESS		5-16-64	Formed
		PHONE (H)	(O)

DATE	DIAGNOSIS	HT	WT	BP	P	T
3-16-06			255.2	120/78	92	97.2

2:00	- RPRs on mark	NKR
------	----------------	-----

Chrom (L) Shmucke Ann
Foot Ann Greet

Ri
Nexum 40m
Lorax 10/600
Pexal 40m 20
Pexum 0.625

Exp c
Ampl
Lorax
Pexal

FAMILY PRACTICE CENTER
217 DOTHAN RD
ABBEVILLE, AL 36310

been in last time
palpated tenders

- ① Chrom Shmucke Ann
- ② Tenderton
- ③ Chrom Ann

Lorax 10/600 - 8/60
Pexum 40m
Heel/Foot Greet
Pexum 20
3205
2205
1205

4/20/06 Pt phoned Bp 13/99 wanted to know
if she could take 1/2 Benicar 200mg
Pt advised her to take it
Pt states Dr Bendage gave her
Samples last time she was here

FAMILY PRACTICE CENTER OF ABBEVILLE, PA
 217 DOTHAN RD
 ABBEVILLE, AL 36310
 334-585-6421

OFFICE VISITS		MARITAL STATUS [S] [M] [W] [D] [SEP]		DATE OF BIRTH		PHONE (H)		(O)	
NAME <i>Thornton Linda</i>				<i>5-16-64</i>				Formedic	
ADDRESS									
DATE	DIAGNOSIS CPT CODE	HT	WT	BP		P		T	
			<i>259.3</i>	<i>120/80</i>				<i>97</i>	
<i>4-13-06</i>	<i>C10 ↑ B/P yesterday</i>							<i>NKDA</i>	
	<i>138/99</i>								
	<i>Head note 4-12-06</i>								
	<i>Ent 4</i>								
	<i>Comp 0/4</i>								
	<i>1000 0/0</i>								
	<i>Any 4</i>								
	<i>Old Chron Shunt m</i>								
	<i>Phen</i>								
	<i>(1) Hctm - (2) Chron Shunt m - (3) Bann m</i>								
	<i>(1) Bann 1/2 (20mg) @ 45 - Resum 40</i>								
	<i>(2) Hct 25</i>								
	<i>Wgt 8000g</i>								
	<i>1000</i>								
	<i>Lat 10/60</i>								
	<i>Sted</i>								
	<i>1 Bm</i>								
	<i>(3) Bann added - pt's BP ↑ probably</i>								
	<i>2° to work stn</i>								

FAMILY PRACTICE CENTER OF ABBEVILLE, PA
 217 DOTHAN RD
 ABBEVILLE, AL 36310
 334-585-6421

OFFICE VISITS

NAME Thermon Linda MARITAL STATUS ST DATE OF BIRTH 5/10/64 Formedic

ADDRESS _____ PHONE (H) _____ (O) _____

DATE
 DIAGNOSIS
 CPT CODE

120/70 HT WT 252.7 BP P T

5/13/06 Returned on Benicar for BP

Hand
 Benicar 20 4 CTR
 Hct 25g %
 Hand

Int

Caul

Un

Cul

blee. Palat heel pain
 Unknen ~~from~~

Tom

Hand

Hand

Chrom Pain

Benicar 20mg Hand

Hand 1 of 100 10 60

Simple (Benicar)

Cont Paxil

Foot Erg

25/06 Paxil 10mg
 20mg 79d

DR Bendinger DO /CT UPN

Hand

FAMILY PRACTICE CENTER OF ABBEVILLE, PA
217 DOTHAN RD
ABBEVILLE, AL 36310
334-585-6421

OFFICE VISITS

NAME

Denton Linda

MARITAL STATUS
[S] [M] [W] [D] [SEP]DATE OF
BIRTH

5-10-64

Formedic

ADDRESS

PHONE (H)

(D)

DATE
DIAGNOSIS
CPT CODE

HT

WT

253.4

BP 110/80

P

T

94.9

5/29/06

C/O RF on Loratab 10/1/50

ALL: NKDA

① foot Tendinitis / Plantar

fasciitis

② HPAI -

Chronic Pain

Anxiety

meds

Benicar 20/1/2 QHS

NCTE 25/1/2 PRN

Loratab 10/1/50

Protonix T QID

Pavil 10mg T QID

① Chronic Pain

② HPAI

③ Tendinitis

④ Loratab 10/1/50 #60

⑤ Pavil 40 - #30

one denied

⑥ unable to take NSAIDs

⑦ RCT 1 month

Have	all
Faldine	
Motrin	

At home problems & stress at work - Being
Unhappy - nothing is being done - She is
Thinking about quitting job. Told to
Continue Pavil

CENTER OF ABBEVILLE

FAMILY PRACTICE CENTER OF ABBEVILLE, PA

217 DOTHAN RD
 ABBEVILLE, AL 36310
 334-585-6421

OFFICE VISITS

NAME Linda ThorntonMARITAL STATUS
[S] [M] [W] [D] [SEP]

DATE OF BIRTH

5.16.64

Formed

ADDRESS

PHONE (H)

(O)

DATE

DIAGNOSIS
CPT CODE

HT

WT

250.4

BP

110/74

P

72

T

6-20-0811:00 a.m.NEA- RF on med,BP med refillChronic back painChronic knee pain

BS
Benicar 20 1/2 tabs
HCTZ 25 1/2 tabs
Lasix 10/650
proliferating 40 1/2 tabs
paroxetine 20 1/2 tabs

EntCant rlung pCupBlkChronic back painCS Tenderness(Pl)(1) Chronic Pain(2) HBP(3) GERD(Pl)(1) no work this week(2) back MRI (SMAC)(3) Last 10/6508601310 for meRefill HCTZ Benicar

9:30
Outpatient

FAMILY PRACTICE CENTER OF ABBEVILLE, PA
 217 DOTHAN RD
 ABBEVILLE, AL 36310
 334-585-6421

OFFICE VISITS

NAME

ADDRESS

MARITAL STATUS

DATE OF

BIRTH

BIRTH

PHONE (H)

(D)

Formedic

DATE

DIAGNOSIS

CPT CODE

HT

WT

BP

P

T

7-18-06 CKW PE on meds

All NKDA

Lortab, Protonix -

Dietary consult, HBP, Back pain

Meds.

PT here for eyes

Ent

Cand

Lup

Cul

Cefix

FAMILY PRACTICE CENTER OF ABBEVILLE

217 DOTHAN RD

ABBEVILLE, AL 36310

Benicar 20 1/2 29hs

HCTZ 25 1/2 4pm

Lortab 10/10 500

Protonix 30 10mg 100

Pantol 10mg 100

① Hx / when else done ② Tendinitis

③ Hx

Unable to get MRI done to

④ Anemia

Pre weekly done

Nifedipine 10

H60

Paxil 30

Cital

Protonix 40

1 1/2

Aramid

1 1/2

FAMILY PRACTICE CENTER OF ABBEVILLE, PA

217 DOTHAN RD
 ABBEVILLE, AL 36310
 334-585-6421

OFFICE VISITS		Formedic	
NAME	<i>Kenda Thornton</i>	MARITAL STATUS [S] [M] [W] [D] [SEP]	DATE OF BIRTH <i>5-16-64</i>
ADDRESS		PHONE (H)	(O)
DATE	DIAGNOSIS CPT CODE	HT	WT <i>259</i>
<i>9/12/06</i>	<i>C/ Hires</i>		BP <i>130/90</i> P T
<i>= Work up this Am; Vertueus, Hives</i>			
<i>gonorrhea discharge. Pen.</i>			
FAMILY PRACTICE CENTER OF ABBEVILLE			
217 DOTHAN RD			
ABBEVILLE, AL 36310			
<i>Ent - Sinus</i>			
<i>Pen RSR.</i>			
<i>Int CDADSE AS-</i>			
<i>ant 0</i>			
<i>Pen 0</i>			
<i>G Vertueus @ Allyn Pen</i>			
<i>@ Sinus @ Unum Pen Sinus due drug</i>			
<i>Demerol Erythromycin 1:10,000</i>			
<i>Demerol 50mg @.4 -</i>			
<i>- Epi Pen.</i>			
<i>- Clonidine 10 # 30</i>			
<i>12g</i>			
<i>- Pseudo 20g</i>			
<i>3dx51</i>			
<i>- Lulax 10/650</i>			
<i>+ 600</i>			
<i>1 Pen -</i>			
<i>(1X201)</i>			
<i>9-18-06 Pt Called request med. for cough</i>			
<i>K-mart - 794-0623</i>			
<i>SPD</i>			
<i>entad #850 774-1204</i>			
<i>called to K-Mart</i>			
<i>10:44 am 823</i>			
<i>v/o Dr Bendings</i>			
<i>Attn: MS</i>			
<i>120 a 5:00 pm</i>			

FAMILY PRACTICE CENTER OF ABBEVILLE, PA
 217 DOTHAN RD
 ABBEVILLE, AL 36310
 334-585-6421

OFFICE VISITS

NAME

ADDRESS

MARITAL STATUS
S M W D I SEPDATE OF
BIRTH

PHONE (H)

(O)

Formedic

DATE
DIAGNOSIS
CPT CODE

HT.

WT

BP

P

T

1.8.07

Hypertension dxn clinic
 Back pain + fatigue

Meas
 Dr. Paul, Dr. Power
 Dr. Gandy Ponder

Ent
 Chf
 Lm
 ant
 taw

Lentha - 1.5 min

↓ 10 min 20 to 70

Plan into ↓ extensive RPR

- ① 6mm
 ② Lenthon dxn clinic
 ③ Back Pain
 ④ Myofasc

Plan ① Eddine 10/16

Chingale 20 8/30

② Nolme 70 1/8/08

1 E 1/8 5/08

③ Lenthon 10/16

8/10 - 8/10

Dr. Gandy Ponder

Hypertension

Dr. Gandy Ponder

FAMILY PRACTICE CENTER OF ABBEVILLE, PA
 217 DOTHAN RD
 ABBEVILLE, AL 36310
 334-585-6421

OFFICE VISITS

NAME *Thornton Linda*MARITAL STATUS
S M W D O SEPDATE OF BIRTH *5/16/64*

Formedic

ADDRESS

PHONE (H)

(O)

DATE
DIAGNOSIS
CPT CODE

HT

WT

BP

P

T

*2507**Back pain - per Thor*
*2-1-07**NKDA**BC/BS Ins.**U/A**Rx - Feldene*
Kobaxin
*Lorazepam**Hx when did die**RS**Back pain**Cant**Heart**Low Boann 85**AS, AAS**Can't**Plan med**Low 9**1**Back LS pain**Remained in pain**(Jm)**① Low back pain - chronic**② Myocardial infarction**③ COPD**(Ph)**① Aspirin 40 mg qd**Demerol**② Tylenol 400 mg q4h**③ Lorazepam 1 mg qd**800**1 mg**He made this week**He has been diagnosed by Dr. Hamill - Die down**He died 8/15/07 & made Dx - no MRI was done*
*(15415 yo)**Demerol in PM**U/A - OK**[Signature]*

FAMILY PRACTICE CENTER OF ABBEVILLE, PA

217 DOTHAN RD

ABBEVILLE, AL 36310

334-585-6421

OFFICE VISITS

NAME

Thorn, Linda

MARITAL STATUS
[S] [M] [W] [D] [SEP]DATE OF
BIRTH

5-16-64

Formedic

ADDRESS

PHONE (H)

(O)

DATE

DIAGNOSIS
CPT CODE

HT

WT

BP

P

T

3-9-07

pt phone Request Refill - Hae DC'd - Wants to start back

SCB

K-Mart

Paxil 20 mg 100 # 30

North Side

Phone in

SCB

V. Di Ponder

SHA

FAMILY PRACTICE CENTER

217 DOTHAN RD

ABBEVILLE, AL 36310

NAME Thornton Linda

MARITAL STATUS
S M W D SEP

DATE OF
BIRTH

5-16-64

Formed in

ADDRESS

PHONE (H)

(D)

DATE
DIAGNOSIS
CPT CODE

HT

WT

249

BP 126/80 P

7

3-23-87

~~C~~

back pain
med refills

R.

Correct 10/650

Reba

Zana flex

~~fa~~ nexium

~~FAMILY PRACTICE CLINIC~~

~~217 DOTMAN ROAD~~

~~ABBEVILLE, AL 36013~~

Burke University

Sam C. Wells

Sam E. Green, Plaintiff

(12) Hyphae - multicellular

(D) D Lachan drin chuno - (probably)

Q. Book No. (P) Jatin

② CERN

Alv D. Demerston

② *Line 4/1500 & 1600* *unclear*

(3) Temperatur des Bodens

TS#

James D. Smith
Jan 20 1880

FAMILY PRACTICE CENTER OF ABBEVILLE, PA

217 DOTHAN RD
 ABBEVILLE, AL 36310
 334-585-6421

OFFICE VISITS

NAME *Thornton Linda*MARITAL STATUS
S M W L T S E P

DATE OF BIRTH

5-16-67

Formedic

ADDRESS

PHONE (H)

(O)

DATE
DIAGNOSIS
CPT CODE

HT

WT

246

BP

120/80

P

T

*3-30-07**C/ Chest Cold Bunk in**NKDA**Rx**200 mg / 1000**Comp. M**Lorazepam 10/600**long heart disease & mldg**Nexium 40mg**One P. M.**Zanaflex 4mg**Ends on**Join**Win**Chronic M**Dumbest DE**4 BMD**Dumbest DE**With 600 mg**Dumbest DE**After my 1000**Long 1000**1000**Gregory*

FAMILY PRACTICE CENTER OF ABBEVILLE, PA

217 DOTHAN RD

ABBEVILLE, AL 36310

Extreme Snoring
*Gaspy**Slurp**[Signature]*

FAMILY PRACTICE CENTER OF ABBEVILLE, PA

217 DOTHAN RD
ABBEVILLE, AL 36310
334-585-6421

OFFICE VISITS

NAME Thornton LindaMARITAL STATUS
(S/M/T/W/D/SEP)DATE OF
BIRTH5-16-64

Formedic

ADDRESS

PHONE (H)

(O)

DATE

DIAGNOSIS
CPT CODE

HT

WT

250

BP

130/80

F

T

6-4-07C/MO V upNKDAChronic back pain
ChronicRxLorazepam 10/650Nexium 40mgZanax 0.5mgEnt qCompUr aChl pBle pUnkwn - LG tendons

FAMILY PRACTICE CENTER OF ABBEVILLE
217 DOTHAN ROAD
ABBEVILLE, AL 36310

Dr Dr Dr
Dr Dr Dr

Dr Dr Dr
Dr Dr Dr

Dr Dr Dr
Dr Dr Dr

Dr Dr Dr
Dr Dr Dr

Dr Dr Dr
Dr Dr Dr

FAMILY PRACTICE CENTER OF ABBEVILLE, PA

217 DOTHAN RD
 ABBEVILLE, AL 36310
 334-585-6421

OFFICE VISITS

NAME Linda Thornton

MARITAL STATUS
ESTIMATED SEP

DATE OF BIRTH

5-16-67

Formedic

ADDRESS

PHONE (H)

(D)

DATE
DIAGNOSIS
CPT CODE

HT

WT

238.1

BP 120/80 P

T

3/10/07

C10

no v up
CtcALL ϕ

Bump on Rt wrist I want removed

Ear - sinus / w

MEDS:

Caul -

Lorazepam 10/650

Lup -

Nexium 40mg

Cup -

Zanaflex 4mg

Blas cyst @ unit

C10 / sinus

Lorazepam

Caul

Cup

Caul - sinus / w

Lup -

Cup -

Blas cyst @ unit

Lorazepam 10/650

Nexium 40mg

Zanaflex 4mg

Caul -

Cup -

Blas cyst @ unit

Lorazepam 10/650

Nexium 40mg

Zanaflex 4mg

FAMILY PRACTICE CENTER OF ABBEVILLE

217 DOTHAN RD

ABBEVILLE, AL 36310

FAMILY PRACTICE CENTER OF ABBEVILLE, PA
 217 DOTHAN RD
 ABBEVILLE, AL 36310
 334-585-6421

OFFICE VISITS

NAME Thornton LindaMARITAL STATUS
ESTIMATED SETDATE OF
BIRTH5-16-67

Formedic

ADDRESS

PHONE (H)

(O)

DATE
DIAGNOSIS
CPT CODE

HT

WT

231

BP

130/76 P

T

9-17-07C/mo.✓upēR/PCCoughObtainedpriortoJohnatFloridahome,ptafraidofoldboss.Enf. Admin.Com/Def.Long CTA.Ant. φ.Orth. φ.(1) (2) (3)Enf. Admin.(3) WorkmanEnf. Admin.(3) Workman(2) U.R.I.(3) Admin.(1) (2) (3)(1) Admin.(2) Admin.(3) Admin.(3) Admin.(3) Admin.(3) Admin.(3) Admin.(3) Admin.(3) Admin.Log document about Admin. re: prior jobSituation - PT very anxious aboutLaw Suit re: prior employee forSexual harassment. Will continue Klonopin. - PT to see HeadedDecadurP.D.Revised notesRevised notesfor reviewingFisher # 30 -1 day.

FAMILY PRACTICE CENTER OF ABBEVILLE
 217 DOTHAN ROAD
 ABBEVILLE, AL 36310

FAMILY PRACTICE CENTER OF ABBEVILLE, PA
 217 DOTHAN RD
 ABBEVILLE, AL 36310
 334-585-6421

OFFICE VISITS

NAME *Thornton Linda*MARITAL STATUS
ESTIMATED

DATE OF BIRTH

5-16-64

Formedic

ADDRESS

PHONE (H)

(D)

DATE
DIAGNOSIS
CPT CODE

HT

WT

241

BF

F

T

*10-16-07**ER SEAMC 10/3/07-**Chest Pain -**On Anxiety - Severe**Has depression just mo**malis head spin**Ent 10**Camp Non**Low CRT**Out 10**Low 9*

FAMILY PRACTICE CENTER OF ABBEVILLE

217 DOTHAN RD

ABBEVILLE, AL 36310

R. *Relcet 20/250*
Neurim 400
Snapflex 100
Blonopin

① Anxiety

Celebra 20
Inulinon Melatonin
20/100 4 #30
4w 1g 10

*5w**Neurim 400**#30**1 g 10**Controlled**#100**1 3w**Suggest Anst Dr Kogelschutz**P*

Family Practice Center of Abbeville, PA - Richard L. Bendinger, D.O.

L 93.0574

Date of Birth 5.16.64

Date: 11.30.02

Name:

Marion Lind

CC:

Refill Rx. Zolof. Causes. Dizziness

App. Mamm. - SEAME -

Vitals:	Wgt: 242	Hgt:	Temp:	BP: 136/100	RR:	HR: 82	Pain:	Sharp	Dull	Pressure	Burning	Crampy
PH: N/A	MI	CA	PMH: Back pain	PSH:	Allergies: NKDA	Medications Reviewed: See Drug List	1	2	3	4	5	
HTN	DM	COPD	Dermat				NO Hurt	Hurt Little Bit	Hurt Little More	Hurt Even More	Hurt Whole Lot	Hurt Worst
Asthma	CVA	CHF	Anxiety									
Social HX	Tobacco	ETOH	Drugs	O2 Sat	Aerosol TX	FSBS mg/dL	Duration:	Day	Week	Month		

ROS: General:	Fever	Chills	Myalgia			
ENT:	Mouth	Throat	Drainage	Congestion	Eyes	Ears
Resp:	Cough	Congestion	Short of Breath	Wheezing L R	Asthma COPD	
CV:	MI	Chest Pain	Arrhythmia			
GI:	Pain	Indigestion	Nausea/Vomiting	PUD	IBS	Colitis
	Diarrhea	Constipation				
GU:	Dysuria	Frequency	Abdominal Pain	Urgency	Nocturia	
Neuro:	Headache	Pain	Numbness/Loss of Power	Neuropathy	Confusion	
Ortho:	Pain U/L Extremity	Joint Pain	Abnormal ROM	Back Pain - chronic		

↑ BP 11 - ↑ Stress - due to lawsuit & per-company

Anxiety - Derm - due to Hormones. Have had dreams of person that Harold had

Had tried Woman's Issues - Mammogram 12-10-02 DECID. 9:00 AM 12500/HR

Mother dx & breast cancer → now order mammogram

11/21/02

General:	Pleasant	Ill	Painful	Anxious		Neuro
HEENT:	PPH	EOM	Conjunctivitis	Icterus	Drainage	Arterios
	Sinus Congestion	Rhinitis/Sinusitis	Oral	Pharyngitis	TM's L R	Tonsillar Hypertrophy
Neck:	Lymphadenopathy	VA 20/ L 20/ R	Abnormal ROM	Fundi L R		
Resp:	CVA	Cough	Congestion	Wheezing L R	Crackles L R	Respiratory Distress
CV:	AS	Irregular	Murmur			
GI:	BS	Soft/Firm	Guarding	Pain		
	Rebound	CVA L R	Mass			
GU:	Lesions	Discharge	Prostate Firm/Soft	Nodules	Scrotal Abnormality	
Breast:	Symmetrical	Nipple Discharge	Erythema	Masses	AB	
GYN:	Vaginal Ext	Vaginal D/C	Cervix	Adenitis		
Ext:	Hand L R	Hip L R	Swelling	Edema	Erythema	Abnormal ROM
	Wrist L R	Knee L R				
	Elbow L R	Ankle L R				
	Shoulder L R	Foot L R				
Skin:	Rash	Turgor	Kernig	Slump	Painful Rom	Latent Line
Back:	Cervical ROM	Thoracic Rom	Lumbar ROM	SLR	Paresthesias	DTR

Imp:	Plan:
① Anxiety	① Appt Dr Kegel shut 2/10
② HX	② Manym (Anxiety)
③ Derm	③ Zolof 75 mg bid
④ Lumbar Pain	④ Lorazepam 1/20
	⑤ Cellulite 20 1/2" 1/2"
	Signature: [Signature]

Family Practice Center of Abbeville, PA - Richard L. Bendinger, D.O.

Dau. 12-19-07 Name: Linda Thornton

Date of Birth 5-16-64

CC:

~~Chest~~ Congestion in chest, ears hurt + fever
 Hurt back again - pulling on mother

Vitals:	Wgt: 242	Hgt:	Temp: 98.2	BP: 91/49	RR:	HR: 73	Pain:	Sharp	Dull	Pressure	Burning	Crampy
FHx:	N/A	MI	CA	PMHx	PSHx	Allergies	Medications Reviewed See Drug List					
	HTN	DM	COPD			NEPA						
	Asthma	CVA	CHF									
Social HX	Tobacco	ETOH	Drugs	O2 Sat	%	Aerosol TX	FSBS	mg/dL	Duration:	Day	Week	Month
ROS: General:	Fever	Chills	Myalgia									
ENT:	Mouth	Throat	Drainage	Congestion	Eyes	Ears						
Resp:	Cough	Congestion	Short of Breath	Wheezing L R	Asthma COPD							
CV:	MI	Chest Pain	Arrhythmia									
GI:	Pain	Indigestion	Nausea/Vomiting	PUD	IBS	Colitis						
	Diarrhea	Constipation										
GU:	Dysuria	Frequency	Abdominal Pain	Urgency	Nocturia							
Neuro:	Headache	Pain	Numbness/Loss of Power	Neuropathy	Confusion							
Ortho:	Pain U/L Extremity	Joint Pain	Abnormal ROM									

Low back pain Pain in room @ 2 @ - → @ buttales -

FAMILY PRACTICE CENTER

417 BOSTON BLVD

ABBEVILLE, PA 17003

General:	Pleasant	Ill	Painful	Anxious		
HEENT:	PERLA	EOMI	Conjunctivitis	Icterus	Drainage	
	Sinus Congestion	Rhinorrhea/Sinusitis	Oral	Pharyngitis	TM's L R	Tonsillar Hypertrophy
Neck:	Lymphadenopathy	VA 20/ - L - 20/ - R	Abnormal ROM	Fundi L R		
Resp:	CTA	Cough	Congestion	Wheeze L R	Crackles L R	Respiratory Distress
CV:	RSR	Irregular	Murmur			
GI:	BS	Soft/Firm	Guarding	Pain		
	Rebound	CVA - L - R	Mass			
GU:	Lesions	Discharge	Prostate Firm/Soft	Nodules	Scrotal Abnormality	
Breast:	Symmetrical	Nipple Discharge	Erythema	Masses		
GYN:	Vaginal Ext	Vaginal D/C	Cervix	Adenexa		
Ext:	Hand L R Wrist L R Elbow L R Shoulder L R	Hip L R Knee L R Ankle L R Foot L R	Swelling	Edema	Erythema	Abnormal ROM
Skin:	Rash	Turgor	Ketetic			
Back:	Cervical ROM	Thoracic Rom	Lumbar ROM	SLR	Paresthesias	DTR

Imp:	Wt 242 am @ Low back Pain in room	Plan:	Muciney B10 Pain relief Cis 500 4x4 Aspirin 100mg Muciney B10 Pain relief Cis 500 4x4 Aspirin 100mg Muciney B10 Pain relief Cis 500 4x4 Aspirin 100mg
Signature:			

Family Practice Center of Abbeville, PA - Richard L. Bending, D.O.

1-25-07 Name: Thornton Linda Date of Birth 5-16-64

RT ear pain

② OM
Anxiety

FMHx:	Vitals:	Wgt: <u>2.39</u>	Hgt:	Temp: <u>100.4</u>	BP:	RR:	HR: <u>76</u>	Pain:	Sharp	Dull	Pressure	Burning	Crampy
PMHx:	PSHx:	Allergies: <u>NKA</u>			Medications: <u>See Drug List</u>								
				O2 Sat: _____ %	Aerosol TX: _____	FSBS: _____ mg/dL		Duration:	Day	Week	Month		

ROS: General:	Fever _____	Chills _____	Myalgia _____			
ENT:	Mouth _____	Throat _____	Drainage _____	Congestion _____	Eyes _____	Ears: <u>Pain @ ear</u>
Resp:	<u>Cough</u>	<u>Congestion</u>	Short of Breath _____	Wheezing L R _____	Asthma COPD _____	
CV:	MI _____	Chest Pain _____	Arrhythmia _____			
GI:	Pain _____	Indigestion _____	Nausea/Vomiting _____	PUD _____	IBS _____	Colitis _____
	Diarrhea _____	Constipation _____	Abdominal Exam _____			
GU:	Dysuria _____	Frequency _____	Abdominal Pain _____	Urgency _____	Nocturia _____	Abdominal exam _____
Neuro:	Headache _____	Pain _____	Numbness/Loss of Power _____	Neuropathy _____	Confusion _____	
Ortho:	Pain U/L Extremity _____	Joint Pain _____	Abnormal ROM _____			

General:	Pleasant	Ill	Painful	Anxious		
HEENT:	<u>PERLA</u>	<u>COMI</u>	<u>Conjunctivitis</u>	Icterus	<u>Drainage</u>	
	<u>Sinus Congestion</u>	<u>Rhinitis/Sinusitis</u>	Oral	Pharyngitis	TM's L R	Tonsillar Hypertrophy
Neck:	<u>Lymphadenopathy</u>	VA 20/ L 20/ R	Abnormal ROM	Fundi L R		
Resp:	<u>CTA</u>	Cough	Congestion	Wheeze L R	Crackles L R	Respiratory Distress
CV:	<u>RSR</u>	Irregular	Murmur			
Abdomen:	<u>BS</u>	Soft/Firm	Guarding	Pain	Rebound	CVA L R
	Lesions	Discharge	Prostate Firm/Soft	Nodules	Scrotal Abnormality	Mass
Breast:	Symmetrical	Nipple Discharge	Erythema	Masses		
GYN:	Vaginal Ext	Vaginal D/C	Cervix	Adenxa		
Ext:	Hand L R Wrist L R Elbow L R Shoulder L R	Hip L R Knee L R Ankle L R Foot L R	Swelling Edema Erythema Abnormal ROM	<u>osteoarthritis</u>		
Skin:	Rash	Turgor	Ketetic	<u>chronic hives</u>		
Back:	Cervical ROM	Thoracic Rom	Lumbar ROM	SLR	Paresthesias	DTR
Neuro:	CN 2-12 intact	Focal Deficit				<u>normal</u>

Imp:	① Sinus	Plan:	① Refill 500 mg
	② OM		② Ibuprofen 400
	③ Computer (viral)		③ Acyclovir 1500
	④ Anxiety		Prozac 20, Alprazolam
	⑤ Lumbosacral		Cont Zolof - Xanax - 1/2 tab
			RT hernia about 1000
			Depression very anxious
		Signature:	<u>[Signature]</u>

Family Practice Center of Abbeville, PA - Richard L. Bendinger, D.O.

2-22-08 Name: Thornton Linda Date of Birth 5-16-64
 monthly check, check ears feels like fluid in
 ears & makes her dizzy.

Vitals: Wgt. 238 Hgt: Temp 99.5 BP: 122/72 RR: HR: 83
 Pain: Sharp Dull Pressure Burning Crampy
 0 No Hurt 1 Hurts Little Bit 2 Hurts Little More 3 Hurts Even More 4 Hurts Whole Lot 5 Hurts Worst
 FHR: N/A MI CA PMHx FSHx Allergies NKDA Medications Reviewed See Drug List
 HTN DM COPD Asthma CVA CHF
 Social HX Tobacco ETOH Drugs O2 Sat % Aerosol TX FSBS mg/dL Duration: Day Week Month

ROS: General: Fever Chills Myalgia
 ENT: Mouth Throat Drainage Congestion Eyes Ears
 Resp: Cough Congestion Short of Breath Wheezing L R Asthma COPD
 CV: MI Chest Pain Arrhythmia
 GI: Pain Indigestion Nausea/Vomiting PUD IBS Colitis
 GU: Dysuria Frequency Abdominal Pain Urgency Nocturia
 Neuro: Headache Pain Numbness/Loss of Power Neuropathy Confusion
 Pain U/L Extremity Joint Pain Abnormal ROM

Anxiety - Depress - Day resuming about her lawsuit

in harassment suit - she has had a lot of of anxiety

and insomnia. She is re-living some of the harassment

causing her to feel worse. Pt wants it to be over to get life back

General: Pleasant Ill Painful Anxious
 HEENT: PERLA EOMI Conjunctivitis Icterus Drainage
 Sinus Congestion Rhinitis/Sinusitis Oral Pharyngitis TMJ L-R Tonsillar Hypertrophy
 Neck: Lymphadenopathy VA 20/ L 20/ R Abnormal ROM Fundi L R
 Resp: CTA Cough Congestion Wheeze L R Crackles L R Respiratory Distress
 CV: RSR Irregular Murmur
 IL: BS X4 Soft/Firm Guarding Pain
 Rebound CVA L R Mass
 ID: Lesions Discharge Prostate Firm/Soft Nodules Scrotal Abnormality
 Breast: Symmetrical Nipple Discharge Erythema Masses
 FYN: Vaginal Ext Vaginal D/C Cervix Adenexa
 Ext: Hand L R Hip L R Knee L R Ankle L R Foot L R Swelling Edema Erythema Abnormal ROM
 Rash Turgor Ketic Urinary Pain 1st/2nd/3rd, 5th/6th
 Cervical ROM Thoracic Rom Lumbar ROM SLR Parasthesias DTR

Plan: (1) Lorazepam 1mg po qid (2) Ativan 2mg po qid
 (3) Humira 1.0mg subcutaneous (4) Bupropion 100mg po bid
 (5) Percocet 10/625 (6) Rx contact in MI

FAMILY PRACTICE CENTER OF ABBEVILLE, PA
 211 DOTHAN RD
 ABBEVILLE, AL 36011
 334-595-6401

OFFICE VISITS

NAME Linda Thornton

MARITAL STATUS
SINGLE

DATE OF BIRTH

5-16-64

Formedic

ADDRESS

PHONE (H)

(O)

DATE

DIAGNOSIS

CPT CODE

3/17/08

WT 233

BP 141/105 P 80 T 98.6

B.P. elevated, patient under increased stress lately
 Give descriptions in sexual harassment case over
 the weekend. Very anxious - also c/o 1 pain pain
 initially. Pt. didn't get mammogram done as
 she is reluctant to go out by herself due to
 fear of confrontation by Frank Williams.
 She would like to get on med as well but she
 is afraid to go out in public places. Her
 anxiety & depression continues she was unable to see
 female counselor due to insurance not covering.

She is taking Buspar 2x daily along with Toloff. for
 her depression. Her BP has been very high as well

due to 1 anxiety
 but - no anti drugs

Check PRR Sh

Pres CTA

Andromed Omeprazole

Extra OZ

Unkown - Unkown Pain, SLAP Band Rom to 20 to pain; DTR 4/11

(1) Poorly Controlled Men

Exacerbated by situational anxiety

(2) Unkown - chronic back pain

(3) Anxiety - Depression

Pt: (1) Add Percocet 20/125 to regimen for BP (samples provided)

(2) Add 10/100 125 125/125 pain

(3) Continue Toloff, Buspar - add Klonopin 0.5 2x 4x pain

(4) RTT for P4 BP & increased anxiety - Depression & depersonalization in Patient
 to try to get her to see counselor and psychiatrist

Family Practice Center of Abbeville, PA - Richard L. Bendinger, D.O.

Date: 4-14-08 Name: Thornton, Linda

Date of Birth 5-16-64

Back pain; leg pain; anxiety - Depression

Vitals:	Wgt: 142	Hgt:	Temp:	BP: 123/84	RR:	HR: 83	Pain: (Sharp) (Dull) (Pressure) (Burning) (Crampy)
PHx:	N/A	MI	CA	PMHx:	PSHx:	Allergies:	Medications Reviewed: See Drug List
	HTN	DM	COPD			N/A	
	Asthma	CVA	CHF				

Social HX	Tobacco	ETOH	Drugs	O2 Sat %	Aerosol TX	FSBS mg/dL	Duration:	Day	Week	Month
ROS: General:	Fever	Chills	Myalgia							
ENT:	Mouth	Throat	Drainage	Congestion	Eyes	Ears				
Resp:	Cough	Congestion	Short of Breath	Wheezing L R	Asthma COPD					
CV:	MI	Chest Pain	Arrhythmia							
GI:	Pain	Indigestion	Nausea/Vomiting	PLID	IBS	Colitis				
	Diarrhea	Constipation								
GU:	Dysuria	Frequency	Abdominal Pain	Urgency	Nocturia					
Neuro:	Headache	Pain	Numbness/Loss of Power	Neuropathy	Confusion					
Ortho:	Pain U/L Extremity	Joint Pain	Abnormal ROM	LS pain chronic						

Here for PMH continued back pain - pain into @ leg
 Pt still very anxious about Court case which is ongoing
 Pt worried about harassment by previous coworkers she
 is reluctant to go anywhere in public; not sleeping

General:	Pleasant	Ill	Painful	Anxious		
HEENT:	PERLA	EOMI	Conjunctivitis	Icterus	Drainage	
	Sinus Congestion	Rhinitis/Sinusitis	Oral	Pharyngitis	TM's L R	Tonsillar Hypertrophy
Neck:	Lymphadenopathy	VA 20/ L 20/ R	Abnormal ROM	Fundi L R		
Resp:	CTA	Cough	Congestion	Wheeze L R	Crackles L R	Respiratory Distress
CV:	BSR	Irregular	Murmur			
GI:	BS	Soft/Firm	Guarding	Pain		
	Rebound	CVA L R	Mass			
GU:	Lesions	Discharge	Prostate Firm/Soft	Nodules	Scrotal Abnormality	
Breast:	Symmetrical	Nipple Discharge	Erythema	Masses		
GYN:	Vaginal Ext	Vaginal D/C	Cervix	Adenexa		
Ext:	Hand L R	Hip L R	Swelling	Edema	Erythema	Abnormal ROM
	Wrist L R	Knee L R				
	Elbow L R	Ankle L R				
	Shoulder L R	Foot L R				
Skin:	Rash	Turgor	Ketotic	SLR	Faresthesias	DTR
Back:	Cervical ROM	Thoracic Rom	Lumbar ROM			

Imp: ① Anxiety - Depression	Plan: ① Pt was unable to go to
② Lumbar pain	previous Counselor due to
③ Depression	inappropriate urine sample
④ HAN	Catholic Services - female counselor
	Signature: [Signature]

FAMILY PRACTICE CENTER OF ABBEVILLE, PA

217 DOTHAN RD
ABBEVILLE, AL 36310
334-585-6421

OFFICE VISITS

NAME

Therion, Linda

MARITAL STATUS

ESTIMATED SEP

DATE OF BIRTH

ADDRESS

PHONE (H)

693-0574 (D)

Formedic

DATE

DIAGNOSIS
CPT CODE

HT

WT

BF

P

T

5.16.08

PT States Catholic Services (Counseling).

Counselor is out of work now.

Request female counselor -

Husband @ Ft Rucker - has Card for

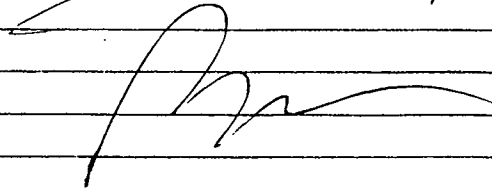
Bradford Heath Services dependants can

go (Drug, Alcohol & Counseling Mental Health)

PT to contact Bradford for Counseling.

Will let Dr. Bendinger know of needing
referral.

Chir



Family Practice Center of Abbeville, PA - Richard L. Bendinger, D.O.

5-12-08 Name: Thornton Linda Date of Birth 5-16-64

Anxiety back pain pain down leg
very anxious - has depression today & one week
also 1 lumbar pain

Vitals:	Wgt: 243	Hgt:	Temp:	BP: 130/80	RR:	HR:	Pain:	Sharp	Dull	Pressure	Burning	Crampy
PMHx:	N/A	MI	CA	PMHx	PSHx	Allergies	Medications Reviewed					
	HTN	DM	COPD			N/A	See Drug List					
	Asthma	CVA	CHF									
Social HX	Tobacco	ETOH	Drugs	O2 Sat	%	Aerosol TX	FSBS	mg/dL	Duration:	Day	Week	Month
ROS: General:	Fever	Chills	Myalgia									
ENT:	Mouth	Throat	Drainage	Congestion	Eyes	Ears						
Resp:	Cough	Congestion	Short of Breath	Wheezing L R	Asthma COPD							
CV:	MI	Chest Pain	Arrhythmia									
GI:	Pain	Indigestion	Nausea/Vomiting	PUD	IBS	Colitis						
	Diarrhea	Constipation										
GU:	Dysuria	Frequency	Abdominal Pain	Urgency	Nocturia							
Neuro:	Headache	Pain	Numbness/Loss of Power	Neuropathy	Confusion							
	Pain U/L Extremity	Joint Pain	Abnormal ROM									

- lumbar pain 19 tenderness → @ leg

& ROM

- Anxiety - pt has been seen by cathula service
with cont H/O

General:	Pleasant	Ill	Painful	Anxious			
HEENT:	PERLA	EOMI	Conjunctivitis	Icterus	Drainage		
	Sniff Congestion	Rhinitis/Sinusitis	Oral	Pharyngitis	TM's L R	Tonsillar Hypertrophy	
neck:	Lymphadenopathy	VA 20/ L 20/ R	Abnormal ROM	Fundi L R			
resp:	CTA	Cough	Congestion	Wheeze L R	Crackles L R	Respiratory Distress	
CV:	KSR	Irregular	Murmur				
IL:	BS x4	Soft/Firm	Guarding	Pain			
	Rebound	CVA L R	Mass				
GU:	Lesions	Discharge	Prostate Firm/Soft	Nodules	Scrotal Abnormality		
reast:	Symmetrical	Nipple Discharge	Erythema	Masses			
LYN:	Vaginal Ext	Vaginal D/C	Cervix	Adenex			
ext:	Hand L R	Hip L R	Swelling	Edema	Erythema	Abnormal ROM	
	Wrist L R	Knee L R					
	Elbow L R	Ankle L R					
	Shoulder L R	Foot L R					
skin:	Rash	Turgor	Ketotic				
neck:	Cervical ROM	Thoracic Rom	Lumbar ROM	SLR	Paresthesias	DTR	

mp: lumbar pain

- (1) Anxiety
- (2) Depression

Plan: 1. Lumbar pain 19 tenderness → @ leg
2. Anxiety 19/10/10 19/10/10
3. Described cont can't sit
She is very anxious

Family Practice Center of Abbeville, PA - Richard L. Kerner, D.O.

Name: Thornton Linda Date of Birth: 5-16-64 Contact #: 693-0574

Request made by: ☒ Patient ☐ Family ☐ Home Health ☐ Pharmacy

Date: 12/17 CC: Cough - HAS dentist request NK/IA
Contact #: Action: Cough meds

Pharmacy: Walmart Refills: 2 Atum MS, 1000

Request made by: ☐ Patient ☐ Family ☐ Home Health ☐ Pharmacy

Date: 2/25/08 CC: Advised Buapar Bid. instead of PRN
Contact #: Action: Lat as directed per Dr. Tending

Pharmacy: Refills: called-12-18-07-stu suggestion

Request made by: ☒ Patient ☐ Family ☐ Home Health ☐ Pharmacy

Date: 4-16-08 CC: Catholic Social Service - 793-3601
Contact #: Action: Wmt female - counsel - panic attack anxiety -

Pharmacy: Refills: ASAP -
693-1574 Social Service - will contact it Ref

Request made by: ☒ Patient ☐ Family ☐ Home Health ☐ Pharmacy

Date: 5/2/08 CC: Lodrene 120 1/2 BID # 40 ALK
Contact #: Action: Zanaflex 4 mg 1 BID # 60 SR

Pharmacy: Refills: pharm 17148

Request made by: ☒ Patient ☐ Family ☐ Home Health ☐ Pharmacy

Date: 5/2/08 CC: Lodrene 120 1/2 BID # 40 ALK
Contact #: Action: Zanaflex 4 mg 1 BID # 60 SR

Pharmacy: Refills: pharm 17148

Request made by: ☐ Patient ☐ Family ☐ Home Health ☐ Pharmacy

Date: 5/2/08 CC: Lodrene 120 1/2 BID # 40 ALK
Contact #: Action: Zanaflex 4 mg 1 BID # 60 SR

Pharmacy: Refills: pharm 17148

Request made by: ☐ Patient ☐ Family ☐ Home Health ☐ Pharmacy

Date: 5/2/08 CC: Lodrene 120 1/2 BID # 40 ALK
Contact #: Action: Zanaflex 4 mg 1 BID # 60 SR

Pharmacy: Refills: pharm 17148

Request made by: ☐ Patient ☐ Family ☐ Home Health ☐ Pharmacy

Date: 5/2/08 CC: Lodrene 120 1/2 BID # 40 ALK
Contact #: Action: Zanaflex 4 mg 1 BID # 60 SR

Pharmacy: Refills: pharm 17148

date: 10.5.08 Name: Thornton, Linda Date of Birth 5.14.64

C: X-ray back pain
currently absent - lawsuit - going thru depression not sleeping -
is tender to a counselor Saw Carol Deen. Old Back pain

Vitals: Wgt: 249 Hgt: Temp: 98.6 BP: 120/90 RR: HR:

FHx: N/A MI CA PMHx PSHx Allergies: NKDA Medications Reviewed: See Drug List

Social HX: Tobacco ETOH Drugs O2 Sat % Aerosol TX FSBS mg/dL

ROS: General: Fever Chills Myalgia
ENT: Mouth Throat Drainage Congestion Eyes Ears
Resp: Cough Congestion Short of Breath Wheezing L R Asthma COPD
CV: MI Chest Pain Arrhythmia
GI: Pain Indigestion Nausea/Vomiting PUD IBS Colitis
GU: Dysuria Frequency Abdominal Pain Urgency Nocturia
Neuro: Headache Pain Numbness/Loss of Power Neuropathy Confusion
Ortho: Pain U/L Extremity Joint Pain Abnormal ROM

Duration: Day Week Month

Lumbar Pain - 15 Tenderness
4 Rom 20 to 25

General: Pleasant Ill Painful Anxious

HEENT: PERLA ROM Conjunctivitis Icterus Drainage

Neck: Sinus Congestion Rhinitis/Sinusitis Oral Pharyngitis TM's L R Tonsillar Hypertrophy

Resp: Lymphadenopathy VA 20/ L 20/ R Abnormal ROM Fundi L R

CV: CTA Cough Congestion Wheeze L R Crackles L R Respiratory Distress

GI: ASR Irregular Murmur

GU: BS XX Soft/Firm Guarding Pain

Rebound CVA L R Mass

RU: Lesions Discharge Prostate Firm/Soft Nodules Scrotal Abnormality

breast: Symmetrical Nipple Discharge Erythema Masses

LYN: Vaginal Ext Vaginal D/C Cervix Adenexa

xt: Hand L R Hip L R 0.1 Swelling Edema Erythema Abnormal ROM

Wrist L R Knee L R

Elbow L R Ankle L R

Shoulder L R Foot L R

an: Rash Turgor Keratic

ick: Cervical ROM Thoracic Rom Lumbar ROM

np: (1) Dryden Pain
(2) Radicular Pain
(3) Anxiety

Plan: 1) Low back 10/20/08
2) Decadron 4mg 10/20/08
3) Plavix 75 10/20/08
4) 174-1616-1111

Signature: [Signature]

EXHIBIT D

FLAVOR HOUSE PRODUCTS

X Counseling Report

Warning Report

Employee <u>Johnny Millsap</u>	Emp. #	Date Submitted for Approval
Department <u>Maintenance</u>	Shift <u>2nd</u>	Date Violation Occurred <u>6/25/04</u>
Shift Supervisor	Department Manager <u>Erif Smith</u>	

SITUATION IN BRIEF (State violation according to Discipline & Discharge Policy):

Johnny threw a jar that bounced off
a rail and hit Linda

DETAILS (Be specific)(See checklist on back):

Date Discussed With Employee

Linda got mad over the incident

ACTION TAKEN (Recommendation)(See checklist on back):

Never throw anything anywhere
inside the plant. Counseling Report

COMMENTS:

Another incident will result in further
disciplinary action up to and including
discharge

EMPLOYEE: X John W Millsap

Shift Supervisor

Date

Witness Donald P. CadyDate 7-1-04

Department Manager

Date

Human Resources

Date

Plant Manager

Date

NOTICE: MUST BE APPROVED BY HUMAN RESOURCES AND PLANT MANAGER

Confidential

FH002914

EXHIBIT E

**IN THE CIRCUIT COURT OF
DALE COUNTY, ALABAMA**

FAMILY COURT DIVISION: DOMESTIC RELATIONS

**In Re: The Marriage of
RONNIE JEAN WILLIAMS
Plaintiff,**

**vs:
FRANKLIN WILLIAMS, JR.
Defendant.**

CASE NO: DR2006-189Q

COMPLAINT FOR DIVORCE

COMES NOW, RONNIE JEAN WILLIAMS, hereinafter referred to as the Plaintiff, and would show unto your Honor the following particulars as a basis for the relief hereinafter prayed for, to wit:

1. Plaintiff is a married female over the age of nineteen years and has been a bona fide resident of the State of Alabama for over six months and currently resides at 5680 Hwy 84 E, Cowarts, AL 36321.
2. Defendant is a married male over the age of nineteen years and resides at 1408 N. Broad St., Cowarts, AL 36321.
3. Plaintiff and Defendant were legally married in Barbour County, Eufaula, AL on 07/13/1999.
4. Plaintiff and Defendant separated on 01/10/2006 and are living in a constant state of separation.
5. There are 2 minor children that are subject to the above cause of action.
6. The Plaintiff is entitled to a divorce from Defendant upon the following statutory grounds:
 - a. There exists a complete incompatibility of temperament between the parties such that they can no longer live together as husband and wife.
 - b. There has been an irretrievable breakdown of the marriage to the extent that any further attempts at reconciliation would be futile and not in the best interests of the parties or our minor children.

WHEREFORE, Plaintiff prays for judgment as follows:

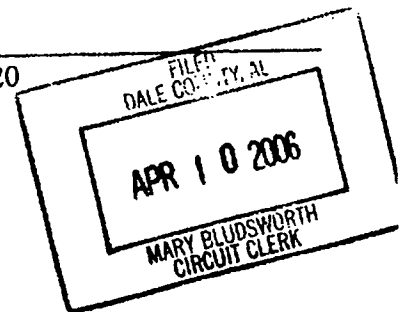
- a. That Plaintiff be awarded a judgment of divorce forever dissolving the bonds of matrimony now existing between the Plaintiff and the Defendant and;
- b. That all of the marital debts be equitably divided and;

- c. That all of the marital property be equitably divided and;
- d. That the Plaintiff be granted such other future relief as may be deemed proper by this Court and;
- e. That the Plaintiff and Defendant be awarded joint custody of the minor child(ren) subject to this cause of action and that the Plaintiff be awarded physical custody of Zachary Williams and the Defendant be awarded physical custody of Christopher Williams.

SIGNED AND SWORN ON THIS THE 31st DAY OF March, 2006.

Ronnie Jean Williams
RONNIE JEAN WILLIAMS

M. Scott
Pamela R. Scott SCO020
6501 North US 431
Headland, AL 36345
(334) 677-1529



STATE OF ALABAMA
COUNTY OF HOUSTON

BEFORE ME, a Notary Public in and for said County and State, came RONNIE JEAN WILLIAMS, whose name is signed to the foregoing Complaint for Divorce and who is known to me, and acknowledged before me on this date that being informed of the contents of this Complaint, executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal this 31st day of March, 2006.

Barbara Shonley
NOTARY PUBLIC
My commission expires: 9/30/07

(SEAL)

EXHIBIT F

ORIGINAL

Before me the undersigned Judge/Clerk/Magistrate of The District Court of Barbour County, Alabama, personally appeared W. R. who being by me first duly sworn deposes and says that he/she has probable cause for believing, and does believe that within twelve months within said County on or about (date) April 4, 1991 one Franklin Williams Jr. did engage in deviate sexual intercourse with F. W., who was less than twelve years of age (10), he, the said Franklin Williams Jr., being 16 years old or older (19), in violation of 13A-6-63 of the Code of Alabama

against the peace and dignity of the State of Alabama.

Sworn to and Subscribed before me this the 24th day of September, 19 91.

Dianne M. Leray
Judge/Clerk/Magistrate of District Court

Wanda Roughton
Complainant's Signature

STATE OF ALABAMA

Barbour

COUNTY

WARRANT OF ARREST

THE DISTRICT COURT

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

are thereof commanded to arrest Franklin Williams Jr. and bring him/her before the DISTRICT COURT OF Barbour COUNTY, to answer the State of Alabama on a charge of Sodomy, 1st Degree- Class A Felony- Court 10-8-91 at 9 A.M. - Eufaula

and have you then and there this writ with your return thereon

Dated this 24th day of September, 19 91

The Sheriff will take bond in the sum of \$ _____

Dianne M. Leray
Judge/Clerk/Magistrate of District Court

WARRANT NO. DC-91-2190

WARRANT OF ARREST

THE DISTRICT COURT OF

Barbour

COUNTY

THE STATE OF ALABAMA

v.

Franklin Williams Jr.

STATE WITNESSES

W. R. - Euf., Al

Defendant's Address:

Race: W Sex: M Height:

Weight: Eye Color:

DOB: 5-25-71

DL No.:

S. S. Number: 417-02-3546

Employment:

Executed the within Warrant by Arresting
the within named Defendant and
Taking Appearance Bond
Committing Defendant to Jail

This 24th day of September, 19 91

Sheriff

By _____

WARRANT

I, the undersigned Judge/Clerk/Magistrate of The District Court of Barbour County, Alabama, personally appeared

D. N. who being by me first duly sworn deposes and says that he/she has probable cause for believing, and does believe that within twelve months within said County on or about (date) August 1, 1991 one Franklin Williams Jr. did engage in deviate sexual intercourse with A. N. (age 14) by forcible compulsion in violation of 13A-6-63 of the Code of Alabama

against the peace and dignity of the State of Alabama.

Sworn to and Subscribed before me this the 7th day of October, 19 91

Debbie Nelson
Judge/Clerk/Magistrate of District Court

Debbie Nelson
Complainant's Signature

STATE OF ALABAMA
Barbour COUNTY

WARRANT OF ARREST

THE DISTRICT COURT

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

are thereof commanded to arrest Franklin Williams Jr. and bring him/her before the DISTRICT COURT OF Barbour COUNTY, to answer the State of Alabama on a charge of Sodomy, 1st Degree- Class A Felony- Court 11-5-91 at 9 A.M. - Eufaula and have you then and there this writ with your return thereon

Dated this 7th day of October, 19 91

The Sheriff will take bond in the sum of \$ _____

Debbie Nelson
Judge/Clerk/Magistrate of District Court

WARRANT NO. DC-91-2189

WARRANT OF ARREST
THE DISTRICT COURT OF

Barbour COUNTY

STATE WITNESSES

D. N. - _____, Euf., AL
Ike Moss- DA's office- Euf., AL

THE STATE OF ALABAMA

Franklin Williams Jr.

Executed the within Warrant by Arresting the within named Defendant and Taking Appearance Bond Committing Defendant to Jail

This 7th day of October, 19 91

By _____ Sheriff

Defendant's Address:

W. Washington St., Euf., AL

Race: W Sex: M Height:

Weight: Eye Color:

DOB: Age 20

DL No.:

S. S. Number:

Employment:

I, the undersigned Judge/Clerk/Magistrate of The District Court of Barbour County, Alabama, personally appeared Phillips D. Sampson who being by me first duly sworn deposes and says that he/she has probable cause for believing, and does believe that within twelve months within said County on or about (date) between March 23 & 30, 1991 one Franklin Williams Jr. did a male, did engage in sexual intercourse with M. S. (13) who was less than sixteen years of age, the said Franklin Williams Jr. being 16 years or older and at least two years older than the said M. S. in violation of 13A-6-62 of the Code of Alabama

against the peace and dignity of the State of Alabama.

Sworn to and Subscribed before me this the 2nd day of October, 19 91

Phillips D. Sampson
Judge/Clerk/Magistrate of District Court

Phillips D. Sampson
Complainant's Signature

STATE OF ALABAMA
Barbour COUNTY

WARRANT OF ARREST

THE DISTRICT COURT

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

are thereof commanded to arrest Franklin Williams Jr. and bring him/her before the DISTRICT COURT OF Barbour COUNTY, to answer the State of Alabama on a charge of Rape, 2nd Degree - Class B Felony - Court 11-5-91 at 9 A.M. - Eufaula and have you then and there this writ with your return thereon

Dated this 2nd day of October, 19 91

The Sheriff will take bond in the sum of \$ _____

Phillips D. Sampson
Judge/Clerk/Magistrate of District Court

WARRANT NO. DC-91-2191

WARRANT OF ARREST
THE DISTRICT COURT OF

Barbour COUNTY

THE STATE OF ALABAMA

v.

Franklin Williams Jr.

STATE WITNESSES

Phillips D. Sampson
Ike Moss- DA's Office- Euf., Al

Executed the within Warrant by Arresting
the within named Defendant and
Taking Appearance Bond
Committing Defendant to Jail

This 2nd day of October, 19 91

By Phillips D. Sampson Sheriff

Defendant's Address:

W. Washington St., Euf., Al

Race: W Sex: M Height:

Weight: Eye Color:

DOB: age 20

DL No.:

S. S. Number:

Employment:

I, the undersigned Judge/Clerk/Magistrate of The District Court of BARBOUR County, Alabama, personally appeared B [redacted] M [redacted] who being by me first duly sworn deposes and says that he/she has probable cause for believing, and does believe that within twelve months within said County on or about (date) in July and August 1989 one Franklin Williams Jr. did engage in sexual intercourse with J [redacted] M [redacted], who was 14 years of age, the said Franklin Williams, Jr. being 18 years of age in violation of 13A-6-62 of the Code of Alabama

against the peace and dignity of the State of Alabama.

Sworn to and Subscribed before me this the 5th day of September, 19 91.

Judge/Clerk/Magistrate of District Court

Complainant's Signature

STATE OF ALABAMA

WARRANT OF ARREST

THE DISTRICT COURT

Barbour

COUNTY

ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

are thereof commanded to arrest Franklin Williams Jr. and bring him/her before the DISTRICT COURT OF BARBOUR COUNTY, to answer the State of Alabama on a charge of Rape, 2nd Degree- Class B Felony- Court 10-8-91 at 9 A.M. - Eufaula and have you then and there this writ with your return thereon

Dated this 5TH day of September, 19 91

The Sheriff will take bond in the sum of \$ _____

Judge/Clerk/Magistrate of District Court

WARRANT NO. _____

STATE WITNESSES

WARRANT OF ARREST

THE DISTRICT COURT OF

Barbour

COUNTY

THE STATE OF ALABAMA

v.

Franklin Williams Jr.

B [redacted] M [redacted]
J [redacted] M [redacted]

Becky Dowling- Human Resources, AL
Lynn Baker- Human Resources
Ike Moss- DA's Office- Euf., AL

Executed the within Warrant by Arresting
the within named Defendant and
Taking Appearance Bond
Committing Defendant to Jail

This 6th day of
September, 19 91

By M. S. Moss Sheriff
Deputy Sheriff

Race: W Sex: M Height:

Weight: Eye Color:

DOB: 5-25-71

DL No.:

S. S. Number:

Employment:

me the undersigned Judge/Clerk/Magistrate of The District Court of Barbour County, Alabama, personally appeared S. L. who being by me first duly sworn deposes and says that he/she has probable cause for believing, and does believe that within twelve months within said County on or about (date) April 4, 1991 one Franklin Williams Jr. did being a male, engage in sexual intercourse with G. L., a female, who was less than sixteen (13) and more than twelve years of age, the said Franklin Williams Jr. being 16 years or older (19) and at least two years older than the said G. L. in violation of 13A-6-62 of the Code of Alabama

against the peace and dignity of the State of Alabama.

Sworn to and Subscribed before me this the 24th day of September, 19 91

Blaine Mc Leray
Judge/Clerk/Magistrate of District Court

[Signature]
Complainant's Signature

STATE OF ALABAMA
Barbour COUNTY

WARRANT OF ARREST

THE DISTRICT COURT

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

are thereof commanded to arrest Franklin Williams Jr. and bring him/her before the DISTRICT COURT OF Barbour COUNTY, to answer the State of Alabama on a charge of Rape, 2nd Degree- Class B Felony- Court 10-8-91 at 9 A.M. - Eufuala and have you then and there this writ with your return thereon

Dated this 24th day of September, 19 91

The Sheriff will take bond in the sum of \$ _____

Blaine Mc Leray
Judge/Clerk/Magistrate of District Court

WARRANT NO.

DC-91-2187

STATE WITNESSES

WARRANT OF ARREST
THE DISTRICT COURT OF

Barbour

COUNTY

THE STATE OF ALABAMA

v.

Franklin Williams Jr.

Executed the within Warrant by Arresting
the within named Defendant and
Taking Appearance Bond
Committing Defendant to Jail

This 8th day of

October, 19 91

Robert Smith

By [Signature] Sheriff

Deputy Sheriff

Defendant's Address:

Race: W Sex: M Height:

Weight: Eye Color:

DOB:

DL No.:

S. S. Number:

Employment:

EXHIBIT G

BP 4-16-92

ALABAMA BOARD OF PARDONS AND PAROLES

REPORT OF INVESTIGATION

Type of Investigation Preliminary Investigation Date Dictated 3/12/92

Name Franklin Williams, Jr. True Name Same

Alias: None

RSA WM, 21 DOB: 5/25/71 Height and Weight 6'2", 145 lbs.

Complexion Medium Color of Hair Brn Color of Eyes Brn.

Bodily Marks _____

Driver's License # A1 5563308 SS# 417-02-3546

AIS# _____ FBI# _____ SID# _____

Address 109 Jackson Street Phone # 687-2996
Eufaula, Alabama 36027

County Barbour Case # 92-17/18/19/20/21

Offense(s) Sodomy 1st (2 cts.) Rape 2nd (3 cts.)

Sentence(s) 10 years each case - concurrent

Date of Sentence 2/14/92 Date Sentence began 2/14/92

Date of Arrest _____ Date of Bond _____ Bond Amt. \$ _____

Judge William H. Robertson D.A. Ben Reeves, Jr.

Attorney J. Harvey Jones Retained _____ Appointed X

Court Ordered Restitution \$ \$1,045.00

Barred from Parole Yes _____ No X

NOTES: C.R. 4-16-92

Continued Preliminary
Franklin Williams , Jr.

PRESENT OFFENSE

-3-

County, Court and Case Number:

Barbour, Circuit Court, CC 92-18

Offense:

Rape 2nd

Sentence:

10 years concurrent

Date of Sentence:

2/14/92

Details of Offense:

On 8/9/91 R [REDACTED] L [REDACTED], age 14, states she has had sex with Franklin Williams, Jr., age 20. She states Franklin told her he was sterile and they used no contraceptive, but have had sex several different times. Frankie was her boyfriend for awhile but now she is not allowed to see him but she still likes him. She states that they just decided to "do it" last summer.

Subject's Statement:

Subject does admit to this offense.

Case Status of Co-defendant:

N/A

Victim Notification Information:

R [REDACTED] L [REDACTED] is the victim in this case.

Victim Impact:

Form 203 B was given to victim.

Location of Offense:

This offense occurred within the city limits of Eufaula, Alabama.

Court Ordered Restitution:

None

IDENTIFYING INFORMATION

PRESENT OFFENSE(S)County, Court and Case Number:

-2-

Barbour, Circuit, CC 92-17

Offense:

Sodomy 1st

Sentence:

10 years each case concurrent

Date of Sentence:

2/14/92

Details of Offense:

On 8/16/91 F [REDACTED] W [REDACTED] states that Franklin Williams, Jr. visited her home a great deal. Franklin often babysat for F [REDACTED] and her sister, M [REDACTED], age six. F [REDACTED] stated, "my cousin" Renee was going with Frank and they were all at her apartment. Renee and F [REDACTED] were playing truth or dare. Renee dared F [REDACTED] to suck Frank's private part and then let Frank "eat" F [REDACTED] private part. F [REDACTED] stated she felt someone holding her head. She didn't know if it was Renee or Frank. F [REDACTED] was asked if Renee was in the room while she and Frank were doing this and she stated "Renee watched us because after me and Frank stopped, Renee and Frank did it too." According to F [REDACTED], this occurred in her bedroom. F [REDACTED] denies any other sexual contact.

F [REDACTED] W [REDACTED], age 10, was neat and clean. However, her clothes were beyond her age group.

Subject's Statement:

Subject did admit guilt to this offense.

Case Status of Co-defendants:

N/A

Victim Notification Information:

F [REDACTED] W [REDACTED] is the victim in this case.

Victim Impact:

209 B victim's form given to victim.

Location of Offense:

This offense occurred within the city limits of Eufaula, Alabama.

Court Ordered Restitution:

\$1,045.00

Continued Preliminary
Franklin Williams, Jr.

PRESENT OFFENSE

-4-

Barbour, Circuit Court, CC 92-19

Offense:

Sodomy 1st

Sentence:

10 years concurrent

Date of Sentence:

2/14/92

Details of Offense:

On 10/1/91 A█████ was interviewed and became upset and started crying. She states that Franklin Williams, Jr., herself, Mark Thompson and Anita Shriver, went down Pump Station Road and turned left. A█████ states that they went off down toward the woods after crossing the railroad tracks. Mark and Anita went off walking. Franklin then asked A█████ "aren't you going to suck my dick?" A█████ said no. Franklin then put his hands around her neck and held her. Franklin had his pants down around his knees. He pushed A█████'s head down and put her mouth over his penis. A█████ stated it seemed like it went on forever but she guessed it was just a little while.

A█████ N█████ was 15 years old when this offense occurred.

Subject's Statement:

Subject does admit to this offense.

Case Status of Codefendants:

N/A

Victim's Notification Information:

A█████ N█████ is the victim in this case.

Victim's Impact:

Form 203 B given to victim.

Location of Offense:

This offense occurred within the city limits of Eufaula, Alabama.

Court Ordered Restitution:

None

Continued Preliminary
Franklin Williams, Jr.

County, Court, Case Number:

Barbour, Circuit Court, CC 92-20

Offense:

Rape 2nd

Sentence:

10 years concurrent

Date of Sentence:

2/14/92

Details of Offense:

On 9/25/91 M [REDACTED] S [REDACTED], age 13, states she has known Franklin Williams, Jr., age 20, for a couple of years along with a group of girls from "the hill." M [REDACTED] identified "the hill" as the area around Jackson Street and Reeves Drive in Eufaula, Alabama. She states "I had sex with Franklin but I did not touch him with my mouth and he didn't do that to me either." M [REDACTED] states that she and Franklin were having sex and Mark Thompson was watching them.

Subject's Statement:

Subject does admit to this offense.

Case Status of Co-defendants:

N/A

Victim Notification Information:

M [REDACTED] S [REDACTED] is the victim in this case.

Victim Impact:

Form 203 B given to victim.

Location of Offense:

This offense occurred within the city limits of Eufaula, Alabama.

Court Ordered Restitution:

None

Continued Preliminary
Franklin Williams, Jr.

-6-

PRESENT OFFENSE

County, Court, Case Number:

Barbour, Circuit Court, CC 92-21

Offense:

Rape 2nd

Sentence:

10 years concurrent

Date of Sentence:

2/14/92

Details of Offense:

During an interview on 9/4/91 with J [REDACTED] M [REDACTED], age 16, J [REDACTED] states she "went with" Franklin Williams, Jr. in 1988 and 1989. J [REDACTED] was about 12 years old at the time. She stated they had sex about four times. She stated they just had regular sex. J [REDACTED] states she did not put her mouth on him anywhere and he didn't do that to her either. J [REDACTED] identified the four sexual encounters as happening on or about February 1988, June 1988, July 1989 and August 1989. J [REDACTED] stated "the first time we had sex he forced me but the other times I agreed to have sex with him." J [REDACTED] believes Franklin was 18 years of age at this time.

Subject's Statement:

Subject did admit to this offense.

Case Status of Co-defendants:

N/A

Victim Notification Information:

J [REDACTED] M [REDACTED] is the victim in this case.

Victim Impact:

203 B form given to victim. J [REDACTED] M [REDACTED] states it will take a long time for her to get over ordeal with this rape. She says it has been over 4 years and she still has a hard time dealing with it. She states she has had emotional distress and is unable to relax around males.

J [REDACTED] wishes to see stiffer punishment for sex offenders. She states it affects a lot of people besides her, the victim, and something she will have to live with the rest of her life.

Location of Offense:

This offense occurred within the city limits of Eufaula, Alabama.

Court Ordered Restitution:

None

Continued Preliminary
Franklin Williams, Jr.

-7-

ACJIS ARREST RECORD

Prior Arrest Record:

3/30/90 Eufaula Police Department Forgery 2nd 2 yrs. probation

Subsequent Arrest:

None


PHYSICAL AND MENTAL HEALTH

Subject states he is in good physical condition. He states he has never been treated for any mental or emotional problems. He does not admit to any addictions to drugs and/or alcohol.

PROBATION AND PAROLE OFFICER'S REMARKS

Subject does admit to these offenses but states the girls were willing. He does not see the harm done. I think maybe the sex offender class might be of some help to him. I would recommend long time incarceration.

Signed and dated at Clayton, Alabama, this the 12th day of March, 1992.


Terri L. Stewart
Alabama Probation & Parole Officer

TLS/ad

EXHIBIT H

PERSONNEL FILE OF PEGGY JEWELL SILVEY

EMPLOYEE # _____

PAN #	DATE	ACTION
-------	------	--------

FH002679

Confidential

APPLICATION TEST

Name: PEGGY (JEWELL) SILVEY Date: 7-19-05ARITHMETIC

Work each problem.

$$\begin{array}{r} 33 \\ \times 6 \\ \hline 198 \end{array}$$

$$\begin{array}{r} 1215 \\ -793 \\ \hline 422 \end{array}$$

$$\begin{array}{r} 983 \\ +729 \\ \hline 254 \end{array}$$

$$\begin{array}{r} 871 \\ -107 \\ \hline 764 \end{array}$$

135 divided by 3 = 45

$$\begin{array}{r} 123 \\ +593 \\ \hline 716 \end{array}$$

$$\begin{array}{r} 492 \\ \times 2 \\ \hline 984 \end{array}$$

$$\begin{array}{r} 123 \\ +593 \\ \hline 716 \end{array}$$

$$\begin{array}{r} 42 \\ +20 \\ +92 \\ \hline 154 \end{array}$$

80 divided by 5 = 16

HANDWRITING AND PRINTING:

Write two sentences on why you want to be a Bremner/Flavor House Team Member.

Write first sentence in cursive.

Print the second sentence.

I've heard you are a good and fair Comp.
 You HAVE full time work with possibility of
 over time.

Confidential

FH002680

H. R. PRESCREENING

Name: PEGGY (JEWELL) SILVEY

Date: 7-19-05

1. Are you willing to work on any shift in any position? yes
2. Are you able to work overtime? (This could include daily or weekends.) yes
3. Is there anything that would hinder you from performing manufacturing type work? No
4. Of your past jobs, which was your favorite and why? Predup, I could stay busy
5. Have you ever made a suggestion to improve something at work? Explain. putting stock in Alfabea Lorde so easier to find. At Dreamers Candle
6. Describe the biggest work-related problem you have had to face. How did you handle it? With someone huring me, went to my supervisor who changed my dept from upstairs, to the Kill floor.
7. On the average, how many workdays in a month are acceptable for an employee to miss? None
8. Why do you want to leave your current employer? I prefer full time work plus overtime when possible. I enjoy working. I'm very commited to my work.
9. Why should we hire you? I'm a very commited worker. I enjoy fast pace work that keeps me busy.
10. Have you ever received any formal disciplinary action? Explain. No
11. How many unexpected absences have you had in the last 6 months? 1
12. Name some valid reasons for being terminated from a job.
disrespecting anyone, foul lang., too many absences
horseplaying, Not working safely, riding a time clock

FH002681

Confidential

ACKNOWLEDGEMENT OF RECEIPT

This is to acknowledge that I have received a copy of the Nutcracker's GMP Policy and understand, that it contains important information on Nutcracker's GMP Policies and on my privileges and obligations as a employee.

I will read this manual and familiarize myself with its contents. I understand that neither this manual nor its contents create a contract of employment between the Company and myself. My employment relationship with Nutcracker is based upon the mutual consent of each employee and the Company.

Name Lewell Silvey Date 8-5-05

Confidential

FH002682

ACKNOWLEDGEMENT OF RECEIPT

This is to acknowledge that I have received a copy of the Flavor House Drug & Alcohol Policy and understand, that it contains important information regarding the Flavor House Drug and Alcohol Policy and Procedures and on my privileges and obligations as an employee.

I will read this policy and familiarize myself with its contents. I understand that neither this policy nor its contents create a contract of employment between the Company and me. My employment relationship with Flavor House is based upon the mutual consent of each employee and the Company.

Name Paul Silvey Clock # _____ Date 8-4-2005

FH002683

Confidential

ACKNOWLEDGEMENT OF RECEIPT

This is to acknowledge that I have received a copy of the Nutcracker Attendance Policy and understand that it contains important information regarding my attendance.

I will read this policy and familiarize myself with its contents. I also understand that neither this policy nor its contents create a contract of employment between the company and me. My employment relationship with Nutcracker is based upon mutual consent of each employee and the company.

If you have any questions regarding the Nutcracker Attendance Policy, please contact your supervisor, department manager or Human Resources.

Name

Jewell Silvey

Date

8-4-05

Confidential

FH002684

ABSENCE REPORT

NAME Jewell Silvey NUMBER 06
 DEPARTMENT packaging SHIFT A
 First Date Absent 1-5 Expected Return Date 1-6-06

Reason for Absence:

- | | |
|---|--|
| <input type="checkbox"/> Illness | <input type="checkbox"/> Holiday |
| <input type="checkbox"/> Vacation | <input type="checkbox"/> Jury Duty |
| <input type="checkbox"/> Personal Time | <input type="checkbox"/> Suspension |
| <input type="checkbox"/> Family Death | <input type="checkbox"/> Leave Without Pay |
| <input type="checkbox"/> Accident on Job | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Family Leave Act | <input type="checkbox"/> _____ |

Explanation, if necessary Left early issues
with her son.

Was Absence:

- | | | |
|-------------------------------|---|--|
| Expected in Advance | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Reported on First Date Absent | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Considered by Supervisor as | <input type="checkbox"/> Excused | <input type="checkbox"/> Unexcused |

Date 1-5-06 Prepared by Jannet Ash

USE CARBON PAPER UNDERNEATH TO PREPARE DUPLICATE

DOCUMENTATION FORM

Employee Name: Jewel SilveyInvestigating Supervisor: Chris Jordan Date: 3-8-06Present: Fannie AshWho was involved: Louise GreenWitness (s): None according to Jewel SilveyDate of incident: 3-8-06Where did it take place: Near Line 4 DepalletizerWhen did it take place (time and day): Not certainWhat happened: I was clearing a mess thatcould cause a safety hazard Tina cameout and let me know to go to break,Nicole also let me know to go tobreak I finished just minute laterwhat I'm upset about is Louise cameout and told me if I didn't goto break now I would not get one.I was back from break before the linestarted running Louise said Frank toldme I would not get a break if I didn'tgo then.Did this result in down time? No If yes how much? N/ADid this result in product being scrapped? If yes how much? No

Attach an additional sheet if needed for witness statements following the same format.

FH002686

Confidential

DOCUMENTATION FORM

Employee Name: Louise GreenInvestigating Supervisor: Frank Hall Date: 3/8/06Present: Chris JordanWho was involved: JEWEL SILVEYWitness (s): NONEDate of incident: 3/8/06Where did it take place: LINE 4 DepalletizeWhen did it take place (time and day): ^{between} 11:00 and 11:20 am WED. 3/06

* What happened: _____

today our line went down for low salt
 frank ask for everyone to go to break all
 but me, mark and tina. tina said she told
 jewel to go to break and she said jewel said no.
 nicole said she ask jewel to go to break
 she also said that jewel said not. I went
 back and told that frank wanted everyone
 to go to break she said she had to clean up
 for lunch. then told frank that he would have
 to tell her to go to break. I did not think
 Did this result in down time? yes If yes how much? I did any thing wrong.
 Did this result in product being scrapped? If yes how much?

Attach an additional sheet if needed for witness statements following the same format.

FH002687

Confidential

DOCUMENTATION FORM

Employee Name: Willie NealInvestigating Supervisor: FRANK HALL Date: 3/9/06

Present: _____

Who was involved: LOUISE, JEWELLWitness (s): WILLIE NEALDate of incident: 3/8/06Where did it take place: Depal area.When did it take place (time and day): WEDNESDAY 3/8/06

What happened: I FRANK HALL was asked by Mr. Willie Neal to write his statement down for him because he don't write to well. He was near Depal area putting cans up when Louise came to Depal and told Jewell the line was down and she needed to go to break. Tone of voice was normal and at the time Jewell was clean up some trash from floor and Louise asked what was she doing where did trash come from? Jewell continued clean up trash and Louise told her if she didn't go to break now she may not get a chance to go later. and she turn and walked off.

Did this result in down time? _____ If yes how much?

Willie Neal - 3-906

Did this result in product being scrapped? If yes how much?

Attach an additional sheet if needed for witness statements following the same format.

FH002688

Confidential

VACATION REQUEST

EMPLOYEE

JEWELL SILVEY

DATES REQUESTED

~~Wednesday~~ Thursday
~~2-7-07~~ 2-8-07 From 6:45^{am} to 9:00 AM
= Both days

*****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK*****

EMPLOYEE'S SIGNATURE

Jewell Silvey

DATE

2-5-07

APPROVED BY SUPERVISOR: YES ☒ NO ☐

COMMENTS

SUPERVISOR'S SIGNATURE

[Signature]

DATE

2-7-07

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPT. ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE

ELIGIBLE FOR 48 HOURS

VERIFIED BY

P

DATE

2/12/07

Confidential

FH002689

VACATION REQUEST

EMPLOYEE Jewell Silvey

DATES REQUESTED Nov. 27th, 2006

*****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK*****

EMPLOYEE'S SIGNATURE Jewell Silvey

DATE Nov. 9th, 2006

APPROVED BY SUPERVISOR: YES ☒ NO ☐

COMMENTS _____

SUPERVISOR'S SIGNATURE

DATE 11-10-07

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPT. ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE _____

ELIGIBLE FOR 1.03 ~~9.03~~ HOURS

VERIFIED BY P

DATE 11/29/06

*In error, March 24th
Note: was not posted on Vacation
Sheet until 12/6/06*

FH002690

Confidential

VACATION REQUEST

EMPLOYEE Jewell Silvey

DATES REQUESTED 10-30-06

*****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK*****

EMPLOYEE'S SIGNATURE Jewell Silvey

DATE 10-27-06

APPROVED BY SUPERVISOR: YES ☐ NO ☐

COMMENTS _____

SUPERVISOR'S SIGNATURE

DATE 10-27-06

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPT. ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE _____

ELIGIBLE FOR 17.03 HOURS

VERIFIED BY 11/6/06

DATE ✓

FH002691

Confidential

PAYROLL DEDUCTION
AUTHORIZATION FORM

Name: Jewell Silvey

SSN: 548-94-2384

Total Amount: \$8.10 \$10.80 ** Initials: JS

Reason for Deduction: Happy Feet shoe inserts

I hereby authorize Nutcracker Brands Inc. (a subsidiary of Ralcorp) to deduct the amount listed above from my paycheck in accordance with Nutcracker Brands Inc. Operating 1.05.00. I further acknowledge that I have read and understand the deduction process as outlined in Operating standard 1.05.00. ** The employee will initial and verify the total cost adjusted for freight, handling & other costs after the invoice is received.

Date: 8/23/06

Signature: Jewell Silvey

FH002692

Confidential

EMPLOYEE STATUS CHANGE

Please check applicable box

☐ New Hire ☐ Certification ☐ Promotion ☐ Salary Adjustment ☐ Other _____
☐ Transfer (Lateral) ☐ Termination ☐ Title/Grade Change ☐ Leave of Absence

Effective Date of this Action:

7/5/06

New Department Salary Account No.:

Employee Name (Last)		First		Middle	
Silvey		Jewell			
CURRENT STATUS	Job Title	Grade	Department	Location	Reports To:
	Sanitation Attnd.		Sanitation		
NEW STATUS	Job Title	Grade	Department	Location	Reports To:
	Gen. Labor		Production		
<input type="checkbox"/> Exempt <input checked="" type="checkbox"/> F/T Regular <input type="checkbox"/> Temporary <input checked="" type="checkbox"/> Non Exempt <input type="checkbox"/> P/T Regular					
Salary Adjustment					
Current Salary Range					
Minimum		Midpoint		Maximum	
Current Salary (or Salary for New Employee)		Amount of Change		Percentage	
Per Month \$		Per Month \$		Merit %	
Per Year \$		Per Year \$		Promotional %	
Hourly (if Applicable) \$ 9.68		Hourly (if Applicable) \$		Hourly (if Applicable) \$ 8.24	
Termination					
<input type="checkbox"/> Voluntary		Reason for Separation			Last Day Worked
<input type="checkbox"/> Involuntary					
Comments					
Self disqualification					
Approval:					
Requesting Department Manager/Date		Department Head/Date		Corporate Officer/Date	

Human Resources Use Only - Do Not Complete This Section				
Social Security No.	Job Number	EEO Code - Job Group	Census Code	Department Name
Company # / Floor #	Source Code	W/C Code	Rate Code	Replaced
Separation Pay	Vacation Pay	Term Code	Last Day Paid	Payroll Entry Date
<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	H <input type="checkbox"/> M <input type="checkbox"/>		
H.R. Manager Approvals/ Date		Compensation Analyst/Date		H.R. Data Specialist/Date
7/9/06		FH002693		Confidential

I have received the Nutcracker GMP (Good Manufacturing Practices) training,
and understand what is expected of me.

I have received the Nutcracker Allergen training, and understand what is expected
of me.

Date 28 June 2016 Signed Jewell Silvey
Printed Name JEWELL SILVEY

FH002694

Confidential

ABSENTEEISM WARNING NOTICE

TO: Jewell Silvey

DATE: 0720/06

DATES & REASON:

ABSENT: 07/17/06, 06/13/06, 05/05/06, 04/25/06,

TARDY:

LEFT EARLY: 03/08/06, 01/05/06

ACTION TAKEN:

☒ VERBAL WARNING (5 OCCURENCES) (5 1/2 points)

☐ WRITTEN WARNING (7 OCCURENCES)

☐ FINAL WARNING (8 OCCURENCES)

☐ TERMINATION (9 OCCURENCES)

SUPERVISORS SIGNATURE

J. Nall

DATE

7/31/06

EMPLOYEES SIGNATURE

Jewell Silvey

DATE

7-31-06

FH002695

Confidential

ABSENCE REPORT

NAME Sewell Silvey NUMBER _____
 DEPARTMENT Production Packaging SHIFT A
 First Date Absent 7/17/06 Expected Return Date 7/18/06

Reason for Absence:

- | | |
|---|--|
| <input type="checkbox"/> Illness | <input type="checkbox"/> Holiday |
| <input type="checkbox"/> Vacation | <input type="checkbox"/> Jury Duty |
| <input type="checkbox"/> Personal Time | <input type="checkbox"/> Suspension |
| <input type="checkbox"/> Family Death | <input type="checkbox"/> Leave Without Pay |
| <input type="checkbox"/> Accident on Job | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Family Leave Act | <input type="checkbox"/> _____ |

Explanation, if necessary Absent

Was Absence:

- | | | |
|-------------------------------|----------------------------------|--|
| Expected in Advance | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Reported on First Date Absent | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Considered by Supervisor as | <input type="checkbox"/> Excused | <input type="checkbox"/> Unexcused |

Date 7/17/06 Prepared by J. Hall

USE CARBON PAPER UNDERNEATH TO PREPARE DUPLICATE

ABSENCE REPORT

NAME Silvey Jewell NUMBER _____
 DEPARTMENT Sanitation SHIFT 3rd
 First Date Absent 13 June 06 Expected Return Date 14 June 06

Reason for Absence:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Illness | <input type="checkbox"/> Holiday |
| <input type="checkbox"/> Vacation | <input type="checkbox"/> Jury Duty |
| <input type="checkbox"/> Personal Time | <input type="checkbox"/> Suspension |
| <input type="checkbox"/> Family Death | <input type="checkbox"/> Leave Without Pay |
| <input type="checkbox"/> Accident on Job | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Family Leave Act | <input type="checkbox"/> _____ |

Explanation, if necessary _____

Was Absence:

- | | | |
|-------------------------------|---|---|
| Expected in Advance | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Reported on First Date Absent | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Considered by Supervisor as | <input type="checkbox"/> Excused | <input checked="" type="checkbox"/> Unexcused |

Date 14 June 06 Prepared by [Signature]

USE CARBON PAPER UNDERNEATH TO PREPARE DUPLICATE

Please check applicable box

☐ New Hire ☐ Certification ☐ Promotion ☐ Salary Adjustment ☐ Other _____
☒ Transfer (Lateral) ☐ Termination ☐ Title/Grade Change ☐ Leave of Absence

Effective Date of this Action: 6/5/06

New Department Salary Account No.: _____

CURRENT STATUS	Employee Name (Last) <u>Silvey</u>		First <u>Jewell</u>		Middle
	Job Title <u>Sanitation Attnd.</u>	Grade	Department <u>Sanitation - 2nd shift</u>	Location	Reports To:
	<input type="checkbox"/> Exempt <input checked="" type="checkbox"/> Non Exempt	<input checked="" type="checkbox"/> F/T Regular <input type="checkbox"/> P/T Regular	<input type="checkbox"/> Temporary		
NEW STATUS	Job Title <u>Sanitation Attnd.</u>	Grade	Department <u>Sanitation - 1st shift</u>	Location	Reports To:
	<input type="checkbox"/> Exempt <input checked="" type="checkbox"/> Non Exempt	<input checked="" type="checkbox"/> F/T Regular <input type="checkbox"/> P/T Regular	<input type="checkbox"/> Temporary		
Salary Adjustment					
Current Salary Range					
Minimum		Midpoint		Maximum	
Current Salary (or Salary for New Employee)		Amount of Change		Percentage	New Salary
Per Month \$ _____		Per Month \$ _____		Merit _____%	Per Month \$ _____
Per Year \$ _____		Per Year \$ _____		Promotional _____%	Per Year \$ _____
Hourly (if Applicable) \$ _____		Hourly (if Applicable) \$ _____			Hourly (if Applicable) \$ _____
Termination					
<input type="checkbox"/> Voluntary		Reason for Separation			Last Day Worked
<input type="checkbox"/> Involuntary					
Comments <u>ee self-disqualified from 2nd shift Sanitation Attnd. We will place ee in "temp" 1st shift Sanitation position and she will Return to General Labor when temp. assign. ends.</u>					
Approval:					
Requesting Department Manager/Date		Department Head/Date		Corporate Officer/Date	

Human Resources Use Only - Do Not Complete This Section					
Social Security No.	Job Number		EEO Code - Job Group	Census Code	Department Name
Company # / Floor #	Source Code	W/C Code	Rate Code	Job Posting #	Replaced
Separation Pay <input type="checkbox"/> Y <input type="checkbox"/> N		Vacation Pay <input type="checkbox"/> Y <input type="checkbox"/> N		Term Code H <input type="checkbox"/> M <input type="checkbox"/>	Last Day Paid
					Payroll Entrv Date
<u>Pammy Nam 6/2/06</u>		FH002698		Confidential	
H.R. Manager Approvals/ Date		Compensation Analyst/Date		H.R. Data Specialist/Date	

VACATION REQUEST

EMPLOYEE Jewell Silvey

DATES REQUESTED June 2nd / June 5th 2006
worked

*****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK*****

EMPLOYEE'S SIGNATURE Jewell Silvey

DATE May 8th, 2006

APPROVED BY SUPERVISOR: YES ☐ NO ☐

COMMENTS My Dad is getting
Married

SUPERVISOR'S SIGNATURE

[Signature]

DATE 15 May 2006

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPT. ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE _____

ELIGIBLE FOR 25.03 HOURS

VERIFIED BY V

DATE 5/30/06

FH002699

Confidential

EMERGENCY VACATION REQUEST

EMPLOYEE Jewell Silvey

DATES REQUESTED 25 May 2006

*****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK*****

EMPLOYEE'S SIGNATURE Jewell Silvey

DATE 25 May 2006

APPROVED BY SUPERVISOR: YES 2 NO

COMMENTS sick

SUPERVISOR'S SIGNATURE

DATE 25 May 2006

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPT. ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE

ELIGIBLE FOR 33.03 HOURS

VERIFIED BY P

DATE 5/26/06

FH002700

Confidential

5/30/06

I would like to disqualify from
Sanation to bid on a day shift job
do to personal reasons.

Jewell Silvey

FH002701

Confidential

ABSENCE REPORT

NAME Jewell NUMBER _____
 DEPARTMENT Sanitation SHIFT 2nd
 First Date Absent 05 May 06 Expected Return Date 08 May 06

Reason for Absence:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Illness | <input type="checkbox"/> Holiday |
| <input type="checkbox"/> Vacation | <input type="checkbox"/> Jury Duty |
| <input type="checkbox"/> Personal Time | <input type="checkbox"/> Suspension |
| <input type="checkbox"/> Family Death | <input type="checkbox"/> Leave Without Pay |
| <input type="checkbox"/> Accident on Job | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Family Leave Act | <input type="checkbox"/> _____ |

Explanation, if necessary _____

Was Absence:

- | | | |
|-------------------------------|---|---|
| Expected in Advance | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Reported on First Date Absent | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Considered by Supervisor as | <input type="checkbox"/> Excused | <input checked="" type="checkbox"/> Unexcused |

Date 05 May 2006 Prepared by [Signature]

USE CARBON PAPER UNDERNEATH TO PREPARE DUPLICATE

FH002702

Confidential

ABSENCE REPORTNAME *Sewell, Brian* NUMBER _____DEPARTMENT *Sanitation* SHIFT _____First Date Absent *5-5-06* Expected Return Date _____**Reason for Absence:**

- | | |
|---|--|
| <input checked="" type="checkbox"/> Illness | <input type="checkbox"/> Holiday |
| <input type="checkbox"/> Vacation | <input type="checkbox"/> Jury Duty |
| <input type="checkbox"/> Personal Time | <input type="checkbox"/> Suspension |
| <input type="checkbox"/> Family Death | <input type="checkbox"/> Leave Without Pay |
| <input type="checkbox"/> Accident on Job | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Family Leave Act | <input type="checkbox"/> _____ |

Explanation, if necessary _____

*Called in Sick***Was Absence:**

- | | | |
|-------------------------------|---|---|
| Expected in Advance | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Reported on First Date Absent | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Considered by Supervisor as | <input type="checkbox"/> Excused | <input checked="" type="checkbox"/> Unexcused |

Date *5-8-06* Prepared by *[Signature]*

USE CARBON PAPER UNDERNEATH TO PREPARE DUPLICATE

FH002703

Confidential

EMPLOYEE STATUS CHANGE

Please check applicable box

☐ New Hire ☐ Certification ☐ Promotion ☒ Salary Adjustment ☐ Other _____
☐ Transfer (Lateral) ☐ Termination ☐ Title/Grade Change ☐ Leave of Absence

Effective Date of this Action:

5-1-06

New Department Salary Account No.:

CURRENT STATUS	Employee Name (Last) <u>Silvey</u>		First <u>Jewell</u>		Middle
	Job Title <u>Gen. Labor</u>		Grade	Department <u>Production</u>	Location
	<input type="checkbox"/> Exempt <input checked="" type="checkbox"/> Non Exempt		<input checked="" type="checkbox"/> F/T Regular <input type="checkbox"/> P/T Regular	<input type="checkbox"/> Temporary Reports To:	
	Job Title <u>Sanitation Att.</u>		Grade	Department <u>Sanitation</u>	Location
NEW STATUS	<input type="checkbox"/> Exempt <input checked="" type="checkbox"/> Non Exempt		<input checked="" type="checkbox"/> F/T Regular <input type="checkbox"/> P/T Regular	<input type="checkbox"/> Temporary Reports To:	
	Salary Adjustment				
Current Salary Range					
Minimum		Midpoint		Maximum	
Current Salary (or Salary for New Employee)		Amount of Change		Percentage	New Salary
Per Month \$ _____		Per Month \$ _____		Merit _____%	Per Month \$ _____
Per Year \$ _____		Per Year \$ _____		Promotional _____%	Per Year \$ _____
Hourly (if Applicable) \$ <u>8.24</u>		Hourly (if Applicable) \$ _____			Hourly (if Applicable) \$ <u>9.68</u>
Termination					
<input type="checkbox"/> Voluntary <input type="checkbox"/> Involuntary		Reason for Separation			Last Day Worked
Comments <u>Job Bid</u> <u>ee trans. to 2nd Shift Sanitation</u>					
Approval:					
Requesting Department Manager/Date		Department Head/Date		Corporate Officer/Date	

Human Resources Use Only - Do Not Complete This Section

Social Security No.	Job Number		EEO Code - Job Group	Census Code	Department Name
Company # / Floor #	Source Code	W/C Code	Rate Code	Job Posting #	Replaced
Separation Pay <input type="checkbox"/> Y <input type="checkbox"/> N	Vacation Pay <input type="checkbox"/> Y <input type="checkbox"/> N		H <input type="checkbox"/> M <input type="checkbox"/> Term Code	Last Day Paid	Payroll Entry Date
H.R. Manager Approvals/ Date <u>Tammie Plann 4/28/06</u>		Compensation Analyst/Date		H.R. Data Sp. Date	

FH002704

Confidential

ABSENCE REPORTNAME Jewell Silvey NUMBER _____DEPARTMENT Packaging SHIFT AFirst Date Absent 4-25-06 Expected Return Date _____

Reason for Absence:

☒ Illness☐ Holiday☐ Vacation☐ Jury Duty☐ Personal Time☐ Suspension☐ Family Death☐ Leave Without Pay☐ Accident on Job☐ Unknown☐ Family Leave Act☐ _____Explanation, if necessary Sunburn

Was Absence:

Expected in Advance

☐ Yes☐ No

Reported on First Date Absent

☐ Yes☐ No

Considered by Supervisor as

☐ Excused☐ UnexcusedDate 4-26-06 Prepared by CRJ

USE CARBON PAPER UNDERNEATH TO PREPARE DUPLICATE

FH002705

Confidential

✓

6.97

EMERGENCY VACATION REQUEST

EMPLOYEE Jewell Silvey

DATES REQUESTED 4-24-06

*****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK*****

EMPLOYEE'S SIGNATURE Jewell Silvey

DATE 4-24-06

APPROVED BY SUPERVISOR: YES ☐ NO ☐

COMMENTS Very Very Bad Sumburn
thats making me sick to my stomach

SUPERVISOR'S SIGNATURE

[Signature]

DATE 4-25-06

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPT. ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE _____

ELIGIBLE FOR 32 HOURS

VERIFIED BY P

DATE 4/26/06

FH002706

Confidential

VACATION REQUEST

EMPLOYEE

Jewell Selvey

DATES REQUESTED

March 24th 2006

*****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK*****

EMPLOYEE'S SIGNATURE

Jewell Selvey

DATE

March 24th 2006

APPROVED BY SUPERVISOR: YES ☒ NO ☐

COMMENTS

40

p

3/22/06

SUPERVISOR'S SIGNATURE

[Signature]

DATE

3-20-06

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPT. ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

FH002707

Confidential



HR Information - New Hire/Changes

This form is to be completed by the employee and returned to HR for any of the following activities:

- ☐ New Hire
- ☐ Rehire
- ☐ Employee Information Change
- ☐ Transfer between Locations

Social Security Number	Effective Date	Employee Number	Company	Company Name
548942384				

Last Name	First Name	Middle Initial
SILVEY	PEGGY	SEWELL

Street

Supplemental Address

City	State	Zip Code	Date of Birth	Sex
				Male <input type="checkbox"/> Female <input type="checkbox"/>

Home Telephone	Work Telephone	Maiden Name/Previous Name

Emergency Contact Name	Relationship	Emergency Telephone

Street	City	State	Zip Code

Ethnicity <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> American Indian/Alaska Native	Marital Status <input type="checkbox"/> Single <input type="checkbox"/> Married	Veteran Status <i>Please Select all that apply</i> <input type="checkbox"/> V - Vietnam Veteran <input type="checkbox"/> S - Special Disabled - Veteran <input type="checkbox"/> P - Other Protected Veteran
--	--	---

11/1/2002

FH002708

Confidential

ABSENCE REPORT

NAME JEWELL SILVEY NUMBER _____
 DEPARTMENT Production Packaging SHIFT A
 First Date Absent 3/8/06 Expected Return Date 3/9/06

Reason for Absence:

- | | |
|---|--|
| <input type="checkbox"/> Illness | <input type="checkbox"/> Holiday |
| <input type="checkbox"/> Vacation | <input type="checkbox"/> Jury Duty |
| <input type="checkbox"/> Personal Time | <input type="checkbox"/> Suspension |
| <input type="checkbox"/> Family Death | <input type="checkbox"/> Leave Without Pay |
| <input type="checkbox"/> Accident on Job | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Family Leave Act | <input type="checkbox"/> _____ |

Explanation, if necessary JEWELL got upset with another employee and she told me she was leaving I talk to her tried to get her to stay but she left at 11:45am

Was Absence:

- | | | |
|-------------------------------|---|--|
| Expected in Advance | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Reported on First Date Absent | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Considered by Supervisor as | <input type="checkbox"/> Excused | <input type="checkbox"/> Unexcused |

Date 3/9/06 Prepared by Frank Hall

USE CARBON PAPER UNDERNEATH TO PREPARE DUPLICATE

ASSOCIATE ACKNOWLEDGMENT FORM

The Associate handbook describes important information about the Company, and I understand that I should consult the Human Resource Manager regarding any questions not answered in the handbook. I have entered into my employment voluntarily and acknowledge that there is no specified length of employment. Accordingly, either the Company or I can terminate the relationship at will, with or without cause, at any time, with or without notice.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Management has the ability to adopt any revisions to the policies in this handbook.

I also acknowledge that this handbook, a copy of which I have received, does not create or constitute a contract of employment. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

Shawell Silvey
ASSOCIATE'S SIGNATURE

01-10-07
DATE

Shawell Silvey
ASSOCIATE'S NAME (TYPED OR PRINTED)

Confidential

FH002710

Absence Report

Name	Jewel Silvey	Number	
Department	Packaging	Shift	1 ST
First Date Absent	10-01-07	Expected Return Date	10-2-07

Reason For Absence

- | | |
|---|--|
| <input type="checkbox"/> Illness | <input type="checkbox"/> Holiday |
| <input type="checkbox"/> Vacation | <input type="checkbox"/> Jury Duty |
| <input type="checkbox"/> Personal Time | <input type="checkbox"/> Suspension |
| <input type="checkbox"/> Family Death | <input type="checkbox"/> Leave Without Pay |
| <input type="checkbox"/> Accident on Job | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Family Leave Act | <input type="checkbox"/> _____ |

Explanation if necessary : Brother in Hospital

Was Absence :

Expected in Advance	<input type="checkbox"/> Yes	X No
Reported on First Date Absent	X Yes	<input type="checkbox"/> No
Considered by supervisor as	<input type="checkbox"/> Excused	<input type="checkbox"/> Unexcused

Date : 10-3-07

Prepared by : Eugene Andrews

FH002711

Confidential

Absence Report

Name Jewell Silvey Number
Department Packaging Shift
First Date Absent 9-15-07 Expected Return Date 9-17-07

Reason For Absence

- | | |
|---|--|
| <input type="checkbox"/> Illness | <input type="checkbox"/> Holiday |
| <input type="checkbox"/> Vacation | <input type="checkbox"/> Jury Duty |
| <input type="checkbox"/> Personal Time | <input type="checkbox"/> Suspension |
| <input type="checkbox"/> Family Death | <input type="checkbox"/> Leave Without Pay |
| <input type="checkbox"/> Accident on Job | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Family Leave Act | <input type="checkbox"/> _____ |

Explanation if necessary : Arm Hurting

Was Absence :

Expected in Advance
Reported on First Date Absent
Considered by supervisor as

- | | |
|----------------------------------|------------------------------------|
| <input type="checkbox"/> Yes | X No |
| X Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Excused | <input type="checkbox"/> Unexcused |

Date : 9-15-07

Prepared by : Eugene Andrews

FH002712

Confidential

Vacation Request

Employee JEWEEL SILVEY
Dates Requested 7-30-07

****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK****

Employee's Signature Jewell Silvey
Date 7-25-07

Approved by supervisor: Yes ☒ No ☐

Comments My son has court

Supervisor's Signature [Signature]

Date 7-25-07

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPARTMENT ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE _____

ELIGIBLE FOR 24 HOURS

VERIFIED BY _____

DATE _____

WHITE - EMPLOYER

CANARY - EMPLOYEE

Confidential

FH002713

Absence Report

Name Jewell Silvey Number
Department Packaging Shift 1 st
First Date Absent 7-13-07 Expected Return Date 7-16-07

Reason For Absence

- | | |
|---|--|
| <input type="checkbox"/> Illness | <input type="checkbox"/> Holiday |
| <input type="checkbox"/> Vacation | <input type="checkbox"/> Jury Duty |
| <input type="checkbox"/> Personal Time | <input type="checkbox"/> Suspension |
| <input type="checkbox"/> Family Death | <input type="checkbox"/> Leave Without Pay |
| <input type="checkbox"/> Accident on Job | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Family Leave Act | <input type="checkbox"/> _____ |

Explanation if necessary : Sick

Was Absence :

Expected in Advance	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Reported on First Date Absent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Considered by supervisor as	<input type="checkbox"/> Excused	<input type="checkbox"/> Unexcused

Date : 7-13-07

Prepared by : Eugene Andrews

FH002714

Confidential

VACATION REQUEST

EMPLOYEE

Jewell Silvey

DATES REQUESTED

6-11-07 morning 1/2 day

*****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK*****

EMPLOYEE'S SIGNATURE

Jewell Silvey

DATE

6-7-07

APPROVED BY SUPERVISOR: YES ☒ NO ☐

COMMENTS

SUPERVISOR'S SIGNATURE

[Signature]

DATE

6-7-07

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPT. ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE

ELIGIBLE FOR

28 HOURS

VERIFIED BY

P

DATE

6/15/07

FH002715

Confidential

Absence Report

Name Jewell Silvey Number
Department Packing Shift 1 ST
First Date Absent 6-8-07 Expected Return Date 6-11-07

Reason For Absence

- | | |
|---|--|
| <input type="checkbox"/> Illness | <input type="checkbox"/> Holiday |
| <input type="checkbox"/> Vacation | <input type="checkbox"/> Jury Duty |
| <input type="checkbox"/> Personal Time | <input type="checkbox"/> Suspension |
| <input type="checkbox"/> Family Death | <input type="checkbox"/> Leave Without Pay |
| <input type="checkbox"/> Accident on Job | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Family Leave Act | <input type="checkbox"/> _____ |

Explanation if necessary : Arm Hurting

Was Absence :

Expected in Advance	<input type="checkbox"/> Yes	X No
Reported on First Date Absent	X Yes	<input type="checkbox"/> No
Considered by supervisor as	<input type="checkbox"/> Excused	<input type="checkbox"/> Unexcused

Date : 6-8-07

Prepared by : Eugene Andrews

FH002716

Confidential

Absence Report

Name Jewell Silvey Number
Department Packaging Shift 1 ST
First Date Absent 6-1-07 Expected Return Date 6-2-07

Reason For Absence

- | | |
|---|--|
| <input type="checkbox"/> Illness | <input type="checkbox"/> Holiday |
| <input type="checkbox"/> Vacation | <input type="checkbox"/> Jury Duty |
| <input type="checkbox"/> Personal Time | <input type="checkbox"/> Suspension |
| <input type="checkbox"/> Family Death | <input type="checkbox"/> Leave Without Pay |
| <input type="checkbox"/> Accident on Job | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Family Leave Act | <input type="checkbox"/> _____ |

Explanation if necessary : Arm Hurting

Was Absence :

Expected in Advance
Reported on First Date Absent
Considered by supervisor as

- | | |
|---|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Excused | <input type="checkbox"/> Unexcused |

Date : 6-1-07

Prepared by : Eugene Andrews

FH002717

Confidential

VACATION REQUEST

EMPLOYEE

Jewell Silvey

DATES REQUESTED

5-18-07

*****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK*****

EMPLOYEE'S SIGNATURE

Jewell Silvey

DATE

5-14-07

APPROVED BY SUPERVISOR: YES ☒ NO ☐

COMMENTS

SUPERVISOR'S SIGNATURE

ES

DATE

5-14-07

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPT. ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE

ELIGIBLE FOR 36 HOURS

VERIFIED BY

P

DATE

5/21/07

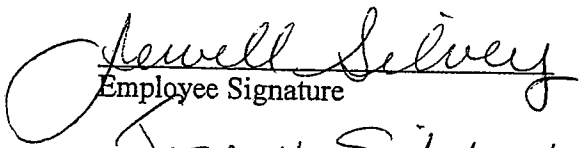
FH002718

Confidential

Please read the following statements:

- Cleaning – the lines are looking better but we need to keep improving.
- Red containers should be used for waste. If a box is being used for waste it must have an orange ATTENTION tag on the side of the box with waste written on the tag.
- Brooms, squeegees and shovels should be kept in the red containers.
- All good product containers should be on dollies
- Filler doors must be shut while the machine is running
- Stackers – keep all empty card board rolls and trash picked up and thrown away from shrink wrap machine
- Stackers – keep excess melted shrink wrap off belt of shrink wrap machine (belt cost \$100.00 per foot to be replaced)
- AIB Violation – nothing should be placed on the white lines at any time (if a pallet is sitting on the white line call a fork lift driver to have it moved)

I understand that failure to follow these guidelines will result in disciplinary action up to and including termination.


Employee Signature

JEWELL SILVEY
Name (Print)

5-16-07
Date

FH002719

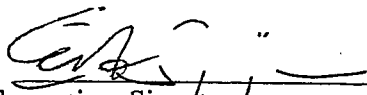
Confidential


Please read the following statements:

- Quality! Quality! Quality! We must concentrate on producing our cases with as few mistakes as possible. We are doing better but we must keep improving.
- During changeovers all containers and trays must be removed from the line before starting the next order. We have had issues in the past with cans from different orders being placed in another order.
- Housekeeping. It is everyone's job to keep this plant clean. If your area is not clean I am letting you know in advance this could lead to disciplinary action. If you have time to talk you have time to clean your area.

I understand that failure to follow these guidelines will result in disciplinary action up to and including termination

* Do not run fillers with doors open.


Supervisor Signature
Eugene Andrews
Name (Print)
5/9/07
Date


Employee Signature
SEWELL SILVEY
Name (Print)
5-9-07
Date

FH002720

Confidential

VACATION REQUEST

EMPLOYEE JEWELL SILVEY

DATES REQUESTED 3-5-07 (Monday)

*****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK*****

EMPLOYEE'S SIGNATURE Jewell Silvey

DATE 2-28-07

APPROVED BY SUPERVISOR: YES ☐ NO ☐

COMMENTS _____

SUPERVISOR'S SIGNATURE

DATE 2-28-07

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPT. ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE _____

ELIGIBLE FOR 44 HOURS

VERIFIED BY P

DATE 3/6/07

FH002721

Confidential

VACATION REQUEST

EMPLOYEE JEWELL SILVEY

DATES REQUESTED Monday 1-29-07

*****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK*****

EMPLOYEE'S SIGNATURE Jewell Silvey

DATE 1-22-07

APPROVED BY SUPERVISOR: YES ☒ NO ☐

COMMENTS _____

SUPERVISOR'S SIGNATURE

ES

DATE 1-23-07

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPT. ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE _____

ELIGIBLE FOR 56 HOURS

VERIFIED BY P

DATE 1/29/07

FH002722

Confidential

VACATION REQUEST

EMPLOYEE JEWELL SILVEY

DATES REQUESTED Friday 1-26-07

*****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK*****

EMPLOYEE'S SIGNATURE Jewell Silvey

DATE 1-23-07

APPROVED BY SUPERVISOR: YES ☒ NO ☐

COMMENTS _____

SUPERVISOR'S SIGNATURE

[Signature]

DATE 1-24-07

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPT. ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE _____

ELIGIBLE FOR 64 HOURS

VERIFIED BY P

DATE 1/26/07

FH002723

Confidential

2

EMERGENCY VACATION REQUEST

EMPLOYEE

Jewell Silvey

DATES REQUESTED

1-17-07

*****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK*****

EMPLOYEE'S SIGNATURE

Jewell Silvey

DATE

1-17-07

APPROVED BY SUPERVISOR: YES / NO

COMMENTS

SUPERVISOR'S SIGNATURE

[Signature]

DATE

1-18-07

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPT. ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE

ELIGIBLE FOR HOURS

VERIFIED BY

DATE

FH002724

Confidential

Absence Report

Name	Jewell Silvey	Number	
Department	Packaging	Shift	A
First Date Absent	March 12, 2007	Expected Return Date	Unknown

Reason For Absence

XX ☐ Illness

☐ Vacation

☐ Personal Time

☐ Family Death

☐ Accident on Job

☐ Family Leave Act

☐ Holiday

☐ Jury Duty

☐ Suspension

☐ Leave Without Pay

☐ Unknown

☐ _____

Explanation if necessary : Broke her foot

Was Absence :

Expected in Advance

☐ Yes

☐ No

Reported on First Date Absent

☐ Yes

☐ No

Considered by supervisor as

☐ Excused

☐ Unexcused

Date : March 13, 2007

Prepared by : CJI

FH002725

Confidential

has applied for STD

1/28

VACATION REQUEST

EMPLOYEE JEWELL SILVEY

DATES REQUESTED Friday 01-12-07

*****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK*****

EMPLOYEE'S SIGNATURE Jevel Silvey

DATE 01-10-07

APPROVED BY SUPERVISOR: YES ☐ NO ☐

COMMENTS _____

SUPERVISOR'S SIGNATURE

[Signature]

DATE 1-10-07

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPT. ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE _____

ELIGIBLE FOR 80 HOURS

VERIFIED BY [Signature]

DATE 1/11/07

FH002726

Confidential

COMPLAINT PROCEDURE

DATE: October 17, 2007

TO: Jewell Silvey

FR: Melvin Hutchins

RE: Complaint

REQUEST FOR BEING TREATED WITH RESPECT BY EUGENE ANDREWS

FIRST RESPONSE

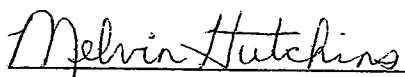
Your complaint dated September 17, 2007, has been reviewed as a first step.

"Eugene yelled at me as if I were dirt under his feet. To give my paperwork to Louise and get off the clock. When I said I needed to clean up the cans and take my trash out he yelled night shift could do it. I said I needed to get my things, he yelled again to get off the clock. I don't feel anyone should be yelled at or talked to like they were dirt under someone's feet. Eugene needs to take a breath and slow down. He seems to need a vacation or something. I really don't like to be treated that way. I have a temper too.

On Thursday, 13th Sept., Willie heard Eugene yell at me. He heard him yell to give my paperwork to Louise and get off the clock. He also heard Eugene yell at me when I was getting my things. Willie felt Eugene was talking or yelling at me as if I was a dog. Willie J. Neal."

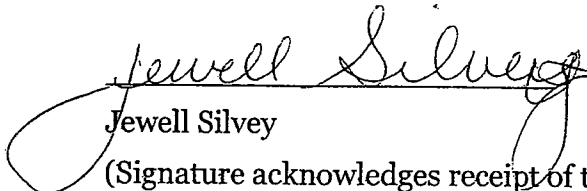
Jewell, on September 13, 2007, Eugene was instructed to send Associates home who had worked the most hours during this week, and you happened to be one of them. Management has to constantly monitor production demands as well as control costs. As a result of this, there is no guarantee of a set number of hours which an Associate will work in any given week.

In addition, all Supervisors, Managers, and Associates of Bremner Food Group are to treat each other with respect. Accordingly, when this does not occur, it is addressed appropriately.



Melvin Hutchins

Production Superintendent



Jewell Silvey

(Signature acknowledges receipt of this document only.)

FH002727

Confidential



COMPLAINT FORM

NAME: Jewell Silvey

STEP 1: I am not satisfied with the decision given to me by my supervisor on 13th Sept, 2007, and I wish to formally complain through the Problem Resolution Procedure. The problem occurred on _____, and is as follows: (use additional paper if necessary)

Eugene yelled at me as if I were dirt under his feet. To give my paper work to Louise and get off the clock. When I said I needed to clear up the cans and take my trash out he yelled night shift could do it. I said I needed to get my things he yelled again to get off the clock.

I am seeking the following solution:

I don't feel anyone should be yelled at or talked to like they were dirt under someones feet. Eugene needs to take a breath and slow down. He seems to need a pacifier or something. I really don't like to be treated that way. There a temper

Associate Signature

Date

STEP 2: I have read the attached supervisor's response in Step 1 and:

☒ Do NOT wish to appeal this decision

☐ Wish to appeal this decision to Step 2, Human Resource Manager

Associate Signature

Date

STEP 3: I have read the attached written response in Step 2 and:

☐ Do NOT wish to appeal this decision

FH002728

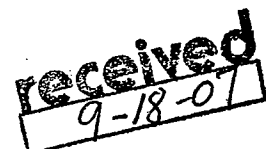
☐ Wish to appeal to the Director of Operations

Confidential

Associate Signature

Date

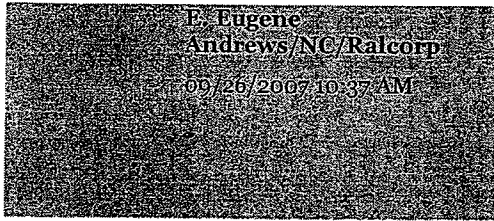
The decision reached in Step 3 will be final and binding.



On Thursday 13th Sept. Willie heard Eugene yell at me. He heard him yell to give my paper work to Louise and get off the clock. He also heard Eugene yell at me with I was getting my things. Willie felt Eugene was talking & yelling at me as if I was a dog. Willie J Neal

FH002729

Confidential

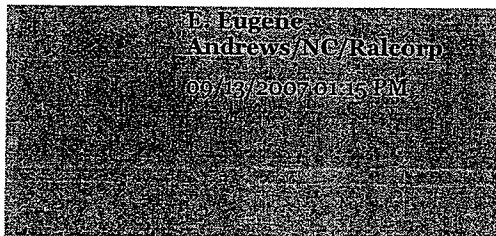


To E. Eugene Andrews/NC/Ralcorp@Ralcorp
cc Deanna M. Lake/BR/Ralcorp@Ralcorp, Melvin G. Hutchins/NC/Ralcorp@Ralcorp, Ricky L. Smothers/NC/Ralcorp@Ralcorp
bcc
Subject Re: [icon]

Dee,

The only thing I can add to this is that the day I sent her home she came up with why she cloud not go home had to clean up the Depalletizer. I told her that the line was going to be down it to the start of 2nd shift I would get them to clean it up, then she said she had to clean up around the Depalletizer. At that time I told her she had 5 minutes to get her paper work and get off the clock. I did not raise voice but I did speak to her firm voice.

E. Eugene Andrews/NC/Ralcorp



To Deanna M. Lake/BR/Ralcorp, Ricky L. Smothers/NC/Ralcorp, Melvin G. Hutchins/NC/Ralcorp
cc
Subject

Dee,

Today line 4 went down I had to send people home that had the most hours one of them was Jewell Silvey she said that I don't send people I like home only the ones I don't like. She said like Louise Green. I called Melvin over to talk to her he told her if she did not like what I was doing about sending people home to go to H.R. By the way Louise is a filler opater not a Gen. labor

If you are not the intended addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer do not consent to internet email for messages of this kind.

Confidential

FH002730



Deanna M.
Lake/BR/Ralcorp
09/20/2007 09:27 AM

To Melvin G. Hutchins/NC/Ralcorp@Ralcorp
cc
bcc
Subject Complaint

I received the following Complaint from Jewell Silvey on 09/17/07 regarding an incident on 09/13/07 with Eugene:

"Eugene yelled at me as if I were dirt under his feet. To give my paperwork to Louise and get off the clock. When I said I needed to clean up the cans and take my trash out, he yelled night shift could do it. I said I needed to get my things. He yelled again to get off the clock. I don't feel anyone should be yelled at or talked to like they were dirt under someones feet. Eugene needs to take a breath and slow down. He seems to need a vacation or something. I really don't like to be treated that way. I have a temper too. On Thursday 13th Sept. Willie heard Eugene yell at me. He heard him yell to give my paperwork to Louise and get off the clock. He also heard Eugene yell at me while I was getting my things. Willie felt Eugene was talking or yelling at me as if I was a dog. Willie Neal."

Melvin -- Since I have having you prepare the first step response as opposed to Eugene since the complaint is essentially about Eugene, I would suggest that you ask Eugene about the situation and also Willie Neal then respond to this e-mail. Remind Eugene that an employee filing a Complaint should not be retaliated against for doing so. I will in turn prepare your First Step Response to the Complaint.


Any questions or concerns, let me know.

Deanna ("Dee") M. Lake
Human Resource Manager
BFG - DOTHAN
2700 Horace Shepard Drive
Dothan, AL 36303
(334) 983-5643 Ext. 222
(800) 233-5979 Ext. 222
Fax: (334) 983-0252
dmlake@ralcorp.com

FH002731

Confidential

Ricky L.
Smothers/NC/Ralcorp
09/13/2007 01:38 PM

To E. Eugene Andrews/NC/Ralcorp@Ralcorp
cc Deanna M. Lake/BR/Ralcorp@Ralcorp, Melvin G.
Hutchins/NC/Ralcorp@Ralcorp
bcc
Subject Re: 

Melvin, Eugene and all the other supervisors have been instructed to get the people with the most hours of the clock asap in order to reduce overtime . Thanks

Ricky Smothers
Manager of Maintenance & Production
bfg / Dothan
334-983-0234
E. Eugene Andrews/NC/Ralcorp

E. Eugene
Andrews/NC/Ralcorp
09/13/2007 01:35 PM

To Deanna M. Lake/BR/Ralcorp@Ralcorp, Ricky L.
Smothers/NC/Ralcorp@Ralcorp, Melvin G.
Hutchins/NC/Ralcorp@Ralcorp
cc
Subject

Dee,

Today line 4 went down I had to send people home that had the most hours one of them was Jewell Silvey she said that I don't send people I like home only the ones I don't like. She said like Louise Green. I called Melvin over to talk to her he told her if she did not like what I was doing about sending people home to go to H.R. By the way Louise is a filler opater not a Gen. labor

If you are not the intended addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer do not consent to internet email for messages of this kind.

FH002732

Confidential

DOCUMENTATION FORM

Employee Name: JEWELL SILVEY

Investigating Supervisor: _____ Date: _____

Present: _____

Who was involved: Me & Eugene

Witness (s): _____

Date of incident: 9-12, 9-13

Where did it take place: Line 4

When did it take place (time and day): 2:48 9-12 1:05 9-13

What happened: HE has in a mean voice told me to go home without cleaning cans off the floor. He said Night Shift could clean them up. He has his faults he hugs and jokes around with yet he has always talk to me as if I'm under his feet never a nice word. Even saying good morning to him one day with no reply from him back yet one of his friends made sure he said good morning to me.

Did this result in down time? _____ If yes how much?

Did this result in product being scrapped? If yes how much?

Attach an additional sheet if needed for witness statements following the same format.

FH002733

Confidential

DOCUMENTATION FORM

Employee Name: Willie Neal

Investigating Supervisor:

Date:

Date of incident: 9-19-07

Where did it take place: Line 3 - (by the wrapper)

When did it take place (time and day): between 1:00 PM - 2:00 PM

What happened:

Jewell was cleaning up - Eugene came thru the curtain with a real high tone voice and told her to go see Louise, turn in her paperwork and get out of here. Eugene raised his voice again at Jewell within the next 5 to 10 minutes. Jewell told Eugene that she was trying to clean up. Eugene told Jewell to let 2nd shift clean it up. Eugene's voice was like he was talking to an "animal". Jewell looked like she wanted to cry.

Confidential

FH002734

Did this result in down time? N/A If yes how much? N/A

Did this result in product being scrapped? If yes how much? N/A

Attach an additional sheet if needed for witness statements following the same format.

Willie Neal 9-24-07

Vacation Request

Employee JEWELL SILVEY

Dates Requested 12 noon 2-14-08 AND 2-15-08

VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK

Employee's Signature JEWELL SILVEY

Date 2-11-08

Approved by supervisor: Yes ☒ No ☐

Comments _____

Supervisor's Signature Melvin Hutchins

Date 2-13-08

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPARTMENT ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE _____

ELIGIBLE FOR _____ HOURS

VERIFIED BY _____

DATE _____

WHITE - EMPLOYER

FH002735

CANARY - EMPLOYEE

Confidential

Vacation Request

Employee Jewell Silvey
Dates Requested Jan 16th 2008
****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK****

Employee's Signature Jewell Silvey
Date Jan 14, 2008
Approved by supervisor: Yes ☒ No ☐

Comments My Dad needs me.

Supervisor's Signature Melvin Hutchins
Date 1-15-08

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPARTMENT ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE _____
ELIGIBLE FOR 64 HOURS

VERIFIED BY P
DATE 1/17/08

WHITE - EMPLOYER

CANARY - EMPLOYEE

FH002736

Confidential

Vacation Request

Employee

EWELL SILVEY

Dates Requested

JAN 7 & 8 2008

****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK****

Employee's Signature

EWELL SILVEY

Date

12-21-07

Approved by supervisor: Yes ☐ No ☐

Comments

My Birthday

Supervisor's Signature

Date

12-28-07

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPARTMENT ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE

ELIGIBLE FOR

80

HOURS

VERIFIED BY

DATE

[Signature]
1/9/08

WHITE - EMPLOYER

CANARY - EMPLOYEE

FH002737

Confidential

Vacation Request

Employee JEWEEL SILVEY

Dates Requested 1-25-08

****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK****

Employee's Signature Jewell Silvey

Date 1-23-08

Approved by supervisor: Yes ☒ No ☐

Comments _____

Supervisor's Signature [Signature]

Date 1-23-08

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPARTMENT ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE _____

ELIGIBLE FOR 56 HOURS

VERIFIED BY P

DATE 1/28/08

WHITE - EMPLOYER

CANARY - EMPLOYEE

FH002738

Confidential

Vacation Request

Employee SEWELL SILVEY
Dates Requested Oct 26th 2007 Friday
****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK****

Employee's Signature *Jewell Silvey*
Date _____
Approved by supervisor: Yes ☒ No ☐

Comments _____

Supervisor's Signature *[Signature]*
Date 10-23-07

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPARTMENT ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE _____
ELIGIBLE FOR 8 HOURS

VERIFIED BY *P*
DATE 10/23/07

WHITE - EMPLOYER

CANARY - EMPLOYEE

FH002739

Confidential

Vacation Request

Employee Jewell Silvey
Dates Requested 21st Sept. 2007
****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK****

Employee's Signature Jewell Silvey
Date 13th Sept. 2007
Approved by supervisor: Yes ☒ No ☐

Comments _____

Supervisor's Signature [Signature]

Date 9-13-07

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPARTMENT ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE _____

ELIGIBLE FOR 16 HOURS

VERIFIED BY [Signature]
DATE 9/19/07

WHITE - EMPLOYER

CANARY - EMPLOYEE

FH002740

Confidential

JOB TRADE/COVERAGE

To schedule an approved day off, the following information must be completed and approved by the appropriate Supervisor.

Date of request 11-19-07

Associate requesting time off Jewell Silvey
(please print)

Jewell Silvey
(signature)

Position depal

Department packaging Shift 1st

Date(s) requested 24 and 25 Nov. 2007

Covering Associate E.D. WALKER
(please print)

E.D. Walker
(signature) I agree to cover the shift for the above associate. I understand that failure to do so may result in an occurrence(s) being charged against my attendance record.

Position depal Department packaging

Covering From 6AM 24th 25th to off 24th 25th

Supervisor Approval _____

Date Approved _____

FH002741

Send to Human Resources

Confidential

* Not approved due to lack of knowledge of the job.

11-19-07

Jewell Silvey

* Witnessed by Chris Jordan

Absence Report

Name Jewel Silvey
Department Packaging
First Date Absent 11-10-07
Number
Shift
Expected Return Date 1ST 11-12-07

Reason For Absence

- | | |
|---|--|
| <input type="checkbox"/> Illness | <input type="checkbox"/> Holiday |
| <input type="checkbox"/> Vacation | <input type="checkbox"/> Jury Duty |
| <input type="checkbox"/> Personal Time | <input type="checkbox"/> Suspension |
| <input type="checkbox"/> Family Death | <input type="checkbox"/> Leave Without Pay |
| <input type="checkbox"/> Accident on Job | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Family Leave Act | <input type="checkbox"/> _____ |

Explanation if necessary : Hurt Shoulder pushing a car

Was Absence :

Expected in Advance

Reported on First Date Absent

Considered by supervisor as

- | | |
|----------------------------------|------------------------------------|
| <input type="checkbox"/> Yes | X No |
| X Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Excused | <input type="checkbox"/> Unexcused |

Date : 11-10-07

Prepared by : Eugene Andrews

FH002742

Confidential

ABSENTEEISM WARNING NOTICE

TO: Jewell Silvey

DATE: 10/10/07

DATES & REASON:

ABSENT: 10/01/07, 09/15/07, 07/13/07, 06/08/07, 06/01/07

TARDY:

LEFT EARLY:

ACTION TAKEN:

☒ VERBAL WARNING (5 OCCURENCES)

☐ WRITTEN WARNING (7 OCCURENCES)

☐ FINAL WARNING (8 OCCURENCES)

☐ TERMINATION (9 OCCURENCES)

SUPERVISORS SIGNATURE

Eigen

DATE

10-15-07

EMPLOYEES SIGNATURE

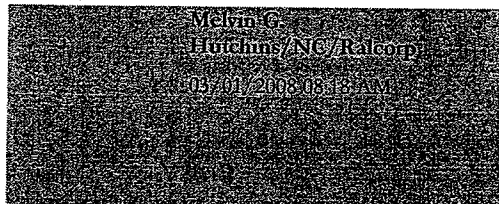
Jewell Silvey

DATE

10-15-07

FH002743

Confidential



To Deanna M. Lake/BR/Ralcorp@Ralcorp, Ricky L.
Smothers/NC/Ralcorp@Ralcorp
cc E. Eugene Andrews/NC/Ralcorp@Ralcorp, T. Bruce
Cassady/NC/Ralcorp@Ralcorp
bcc

Subject Meeting with Jewell and Linda

I met with Jewell and Linda yesterday to discuss in part the issue of them not getting along together. I told them they would not be moved because of this issue and it was there responsibility to have a good working relationship. I explained to them, that if there continued to be issues regarding there behavior towards on another, it would be a performance issue. If there were issues, those issues needed to brought to the attention of their supervisors. The supervisors would request documentation and once the documentation was completed, it would be brought to the attention of HR. I also explained to them, to not put themselves in a position that could possibly cause them there job. I ask Jewell and Linda did they understand what was being asked of them, and both replied, yes.

Bruce and Eugene were both present during this meeting.

Melvin Hutchins
Production Superintendent
Nutcracker
(334) 983-0240

FH002744

Confidential

03/01/08 Notes re: Conversation with Linda Parker

Prior to Linda Parker submitting her two Documentation Forms she mentioned to me that her and Jewell Silvey were not getting along. In this conversation, Linda said that Jewell had even threatened her but that there were no witnesses to this threat so it would be Linda's word against Jewell's. I told Linda that if that was the case that the Production Superintendent would have a meeting with both her and Jewell and explain that they are required to work together and get along and that if any specific issues arise that they will be addressed accordingly.

Dennis M. Hall
03/01/08

FH002745

Confidential

DOCUMENTATION FORM

Employee Name: *Linda Parker*

Investigating Supervisor:

Date: *01/30/08*

Present: *Linda & Jewell*

Who was involved: *Linda & Jewell*

Witness (s): *N/A*

Date of incident: *01/30/08*

Where did it take place: *Depall*

When did it take place (time and day): *Depall 12:10 P.M.*

What happened:

The event I'm about to tell you happened Feb. 7, but before I do this I need to tell you about what happened on Jan. 30, that brought all of this on. Tullin (new girl that rotates everybody out) came up to take Jewell's place for break and I was trying to help her out, but anyway when Jewell came back her pallet of cans was a mess and Jewell blame it on me, so I left her alone the rest of the day. The next day I got the hook that we strengthen our cans up with, and when I did this I noticed that one of Jewell's cans had turned over, so I strengthen her's up first and she told me not to mess with her.

Did this result in down time? _____ If yes how much?

Did this result in product being scrapped? If yes how much?

Attach an additional sheet if needed for witness statements following the same format.

Confidential

FH002746

DOCUMENTATION FORM

Employee Name:

Investigating Supervisor:

Date:

Present:

Who was involved: *Genla & Jewell*

Witness (s):

Date of incident:

Where did it take place:

When did it take place (time and day):

What happened:

I know I have got a write up on Jewell already. But there are a few things I need to add. For example she has made two threats to me. Her words exactly were "You better hope to God you never see me out side of work." And just about every day she makes snide remarks just to get me to say something back to her, but I haven't said a word to her other than what I said in my last statement, And I still haven't said anything to her. Jewell has called me lazy and a little wease. A couple of times I have accidentally bumped into her and she yelled at me, I better watch it. There is so much tension. We need a meeting as soon as possible

Did this result in down time? _____ If yes how much?

Did this result in product being scrapped? If yes how much?

Attach an additional sheet if needed for witness statements following the same format.

*Thank you
Debra Parker*

FH002748

Confidential

SAFETY BEHAVIOR OBSERVATION REPORT
RALCORP HOLDINGS, INC.

Name: <u>Linda Packer</u>		Department: <u>PACKAGING</u>	Date: <u>2-9-08</u>
Occupation: <u>Depa</u>	Job & Line Observed:		Type of Observation: <input type="checkbox"/> INITIAL <input type="checkbox"/> FOLLOW-UP
Time With Company:	Time on Present Job	Notification <input type="checkbox"/> Told in Advance <input type="checkbox"/> Not Told in Advance	
Reason For Observation: <input type="checkbox"/> Job Procedure/Practice Update <input type="checkbox"/> Accident Repeater <input type="checkbox"/> Incapacitated Worker <input type="checkbox"/> Training Follow-Up <input type="checkbox"/> Experienced Worker Check			

JOB OBSERVATION

Could any of the practices or conditions observed result in property damage or personal injury? Circle: YES <u>NO</u>	Were the methods and practices observed the most efficient and productive? Circle: <u>YES</u> NO
Did the practices you observed comply with all of the applicable standards that exist for this task or job? Circle: <u>YES</u> NO	Could any of the practices you observe have a detrimental effect upon the quality of the product? Circle: YES <u>NO</u>
Describe clearly below any practices or conditions related to items above that deserve compliment or correction (PPE, Lifting, Material Handling, Equipment Operation, Housekeeping, etc.):	
<u>Does not use EAR PLUGS only tucks</u>	
<u>them under her HAIR NETS</u>	
<u>Sets on Steps so where I can NOT</u>	
<u>Hold rails when going up or down</u>	
Have you properly complimented and/or reinstructed the worker on these observation? Circle: <u>YES</u> NO	Should a follow-up observation of this worker or task be made in the near future? Circle: <u>YES</u> NO
Describe any standard procedure, method or equipment you observed that should be considered for change in the interest of safety, quality or productivity:	

Observer

Date

Supervisor

Date

Safety Manager

Date

FH002749

Confidential



TO: Peggy Silvey

Check Seq Code: 04-06MFG01

We currently show the following ethnicity/race information for you in our HR/Payroll system. Due to recent regulatory changes with EEO-1 reporting, race/ethnicity categories have been expanded to the 7 choices indicated below. Ralcorp has elected to survey all of its employees to provide an opportunity to choose a new race/ethnicity designation.

Name: Peggy Silvey Emp. #: 200836 Co. #: C94 Location: Dothan

Current Ethnicity/Race: White

NOTE: If you are currently listed as "Asian or Pacific Islander" you must make a new election.

1. Hispanic or Latino

4. Hawaiian/Pacific Islander

2. White

5. Asian

3. Black or African American

6. American Indian/or Alaskan

7. Two or more races

If you are not making a change to your race/ethnicity category, you do not need to respond to this survey. For a change, circle one and return this form to your local HR office no later than August 17, 2007.

FH002750**Confidential**

Vacation Request

Employee JEWELL SILVEY

Dates Requested April 4th 2008

VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK

Employee's Signature Jewell Silvey

Date 3-17-08

Approved by supervisor: Yes ☒ No ☐

Comments _____

Supervisor's Signature _____

Date 3-27-08

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPARTMENT ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE _____

ELIGIBLE FOR 36 HOURS

VERIFIED BY JG

DATE 3/4/08

WHITE - EMPLOYER

FH002751

Confidential

MPLOYEE

I, SEWELL SILVEY, have received the training on
PRINT NAME

Can, Jar and Bag seal requirements and testing procedures, including leak testing

Weight Control Plan and records

Date Coding and records

Packaging Food Contact Records

Label Storage, Staging, Delivery, Use, Record Keeping, and Restocking Procedures

HAACP testing and records

and understand what is expected of me.

Signed SEWELL SILVEY Date 3-6-2008

Trainer: R. Ream
Randy Ream

FH002752

Confidential

I, SEWELL SILVEY, have received the training on
PRINT NAME

GMP and HACCP Refresher

Buildup SOP

Allergen Inspection Certification

Salt testing

Sugar testing

Breakage Standards and Testing

and understand what is expected of me.

Signed Sevell Silvey Date 3-5-2008

Trainer: R. Ream
Randy Ream

FH002753

Confidential

EXHIBIT I

✓

~~Emergency~~

VACATION REQUEST

EMPLOYEE Linda Thornton

DATES REQUESTED 4-13-06

*******VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK*******

EMPLOYEE'S SIGNATURE Linda Thornton

DATE 4-17-06

APPROVED BY SUPERVISOR: YES ☒ NO ☐

COMMENTS Blood Pressure problems.

SUPERVISOR'S SIGNATURE

[Signature]

DATE 4-13-06

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPT. ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE _____

ELIGIBLE FOR 48 HOURS

VERIFIED BY [Signature]

DATE 4/13/06

ABSENCE REPORTNAME Linda Thornton NUMBER _____DEPARTMENT Packaging SHIFT AFirst Date Absent 4-6-06 Expected Return Date _____

Reason for Absence:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Illness | <input type="checkbox"/> Holiday |
| <input type="checkbox"/> Vacation | <input type="checkbox"/> Jury Duty |
| <input type="checkbox"/> Personal Time | <input type="checkbox"/> Suspension |
| <input type="checkbox"/> Family Death | <input type="checkbox"/> Leave Without Pay |
| <input type="checkbox"/> Accident on Job | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Family Leave Act | <input type="checkbox"/> _____ |

Explanation, if necessary I sent Linda Thornton
home due to high blood pressure.

Was Absence:

- | | | |
|-------------------------------|----------------------------------|------------------------------------|
| Expected in Advance | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Reported on First Date Absent | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Considered by Supervisor as | <input type="checkbox"/> Excused | <input type="checkbox"/> Unexcused |

Date 4-10-06 Prepared by CEJ

USE CARBON PAPER UNDERNEATH TO PREPARE DUPLICATE

EXHIBIT J

DOCUMENTATION FORM

Employee Name: Catherine Long

Investigating Supervisor: Chris Jordan Date: 6-15-06

Present: _____

Who was involved: Frank Williams and Linda Thornton

Witness (s): _____

Date of incident: 6-14-06

Where did it take place: Line 3 Label Machine

When did it take place (time and day): Before 1200 Noon

What happened: well Linda just had
came from Break and she
asked Frank to help her clear
off the table by Line 3 label
machine. I hear Frank said
the F word and I cant
do every dam thing.
that all I heard except he
was doing a lot of yelling and
ext. ext. ext.

Did this result in down time? _____ If yes how much?

Did this result in product being scrapped? If yes how much?

Attach an additional sheet if needed for witness statements following the same format.

DOCUMENTATION FORM

Employee Name: Tamara Cooke

Investigating Supervisor: Chris Date: 6-15-06

Present: _____

Who was involved: Frank Williams + Linda Thornton

Witness (s): _____

Date of incident: 6-14-06

Where did it take place: Line 3 Label Machine

When did it take place (time and day): Before lunch

What happened: line 3 label machine messed up & we had
bad labels on the work area & we cleaned some
when Linda got back from back some was
left up there and she asked ^{Frank} about this
mess and Frank walked off saying curse words
exact I don't know so Linda said something to
him. ~~He~~ ~~at first~~ ~~was~~ ~~he~~ he threw his hands
up & said fuck it and went threw the curtains.
She was ignoring him but it was words still
being said from him.

Did this result in down time? _____ If yes how much?

Did this result in product being scrapped? If yes how much?

Attach an additional sheet if needed for witness statements following the same format.

EXHIBIT K

✓

VACATION REQUEST

EMPLOYEE Tommy Nance

DATES REQUESTED June 15th 1/2 day

*****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK*****

EMPLOYEE'S SIGNATURE Tommy Nance

DATE 6/2/06

APPROVED BY SUPERVISOR: YES ☒ NO ☐

COMMENTS _____

SUPERVISOR'S SIGNATURE

Mary Ann Bayes

DATE 6-2-2006

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPT. ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE _____

ELIGIBLE FOR 88 HOURS

VERIFIED BY P

DATE 6/12/06

CONFIDENTIAL

FH000764

VACATION REQUEST

EMPLOYEE Tommy Vance

DATES REQUESTED 5/19 1/2 day - 4 hours

*****VACATION PAY CAN ONLY BE GRANTED FOR TIME AWAY FROM WORK*****

EMPLOYEE'S SIGNATURE Tommy Vance

DATE 5/23/06

APPROVED BY SUPERVISOR: YES ☐ NO ☐

COMMENTS _____

SUPERVISOR'S SIGNATURE

Mary Ann Bays

DATE 5/23/2006

DO NOT WRITE BELOW THIS LINE - TO BE COMPLETED BY THE HR DEPT. ONLY

THIS SECTION TO BE COMPLETED BY THE HR DEPARTMENT

DATE OF HIRE _____

ELIGIBLE FOR 92 HOURS

VERIFIED BY P

DATE 5/23/06

CONFIDENTIAL

FH000765

EXHIBIT L

Flavor House Products

Daily Label Operator Check Sheet

Line BA
Date 5-04-06

Startup

1. LT The proper labels are on the label cart.
2. LT Set to proper size.
3. LT The proper glue rod (can line) and glue wheel (jar line) are in place.
4. LT Check glue pots
5. LT Check for worn or broken parts.

Shut Down

6. LT Check glue pots and fill if necessary.
7. LT Check for worn or broken parts.
8. LT Machine is cleaned properly.
9. LT Label machine is changed over to the next day's size if needed. *night shift*
10. LT Labels are put up correctly.

Explain any mechanical problems or issues with labels (size, color, etc.)
 down time today - 2 wheels just
 falling off - using incorrect size -
 hydraulic switch went out
 pressure going up and down. Can't
 wait for the new machine
 to get here.

Signature

Anda Thornton

EXHIBIT M

**FREEDOM
COURT REPORTING**

367 Valley Avenue
Birmingham, Alabama 35209
205.397.2397
877.373.3660

WITNESS CERTIFICATION

I, Mary Ann Boyer said witness, do hereby acknowledge that I have read the foregoing transcript of my testimony and that it is a true and correct transcription of the answers given by me to the questions propounded, except for the changes, if any, noted on the attached errata sheet.

Mary Ann Boyer
Witness Signature above:

Printed name: Mary Ann Boyer

Sworn to and subscribed before me, this
the 10th day of July, 2008.

Catherine Brownlee

Notary Public

My Commission expires: June 22, 2010

Deposition of: Mary Ann Boyer
Taken: 05/13/2008
Court Reporter: Renny McNaughton

TRANSCRIPT ERRATA SHEET

Deposition of: Mary Ann Boyer
 Taken: 05/13/2008
 Court Reporter: Renny McNaughton

Page #: Line #: Correction/Reason for change:

p42 p21-23, p43 line 15 After my deposition, I reviewed the 2-23-06 Documentation form of Jewell Silvey on an undated documentation form of Tracely Brantley, and realized that the investigation into Linda talking to a female employee in the smoking area about Frank's past and suggesting that she get on a website to get information about Frank and bring it to work actually occurred in Feb or March 2006. These documents were not shown to me during my deposition, and I confused the Feb/March incident with what happened in June. There was an investigation concerning Linda in June, around the time she left, that may have led to discipline had Linda returned to work, but I do not remember specifically what it was that led to this investigation. I believe it was something that came to our attention after Linda's last day at work.

TRANSCRIPT ERRATA SHEET

Deposition of:

Mary Ann Boyer

Taken:

05/13/2008

Court Reporter:

Renny McNaughton

Page #:

Line #:

Correction/Reason for change:

p 46 line 14
p 47 line 20

After my deposition, I reviewed the 2-23-2006 Documentation Form of Jewell Silvey and an undated Documentation Form of Tracey Brentley, and realized the investigation into Linda talking to a female employee in the smoking area about Frank's past and suggesting that she get on a website to get information about Frank and bring it to work actually occurred in Feb or March 2006. These documents were not shown to me during the deposition, I confused the Feb/March incident with what happened in June. There was an investigation concerning Linda around the time she left that may have led to discipline had Linda returned to work, but I don't recall what specifically it was that led to the investigation. I believe that it was something that came to our attention after Linda's last day at work, and the investigation was never completed.

TRANSCRIPT ERRATA SHEET

Deposition of: Mary Ann Boyer
 Taken: 05/13/2008
 Court Reporter: Renny McNaughton

Page #:	Line #:	Correction/Reason for change:
p 67	line 19	After my deposition, I reviewed the
p 68	line 11	2-23-06 Documentation Form of Jewell
		Silvey and an undated Documentation
		Form of Tracey Brantly, and realized that
		the investigation into Linda talking to
		a female employee in the smoking area
		about Frank's post and suggesting that
		she get on a website to get information
		about Frank and bring it to work
		Actually occurred in Feb-March 2006. These
		documents were not shown to me during
		the deposition, and I confused the
		Feb/March incident with what happened
		in June. There was an investigation
		concerning Linda around the time
		she left that <u>may</u> have led to discipline
		if Linda had returned to work, but I
		do not recall specifically what it was that
		led to this investigation. I believe that
		it was something that came to our attention
		after Linda's last day at work, and the
		investigation was never completed because

EXHIBIT N

EMPLOYEE STATUS CHANGE

Please check applicable box

☐ New Hire ☐ Certification ☐ Promotion ☒ Salary Adjustment ☐ Other _____
☐ Transfer (Lateral) ☐ Termination ☐ Title/Grade Change ☐ Leave of Absence

Effective Date of this Action:

5-15-06

New Department Salary Account No.:

CURRENT STATUS	Employee Name (Last) <u>Thornton</u>		First <u>Linda</u>		Middle
	Job Title <u>Label Opr.</u>	Grade <u>1</u>	Department <u>Production</u>	Location	Reports To:
NEW STATUS	<input type="checkbox"/> Exempt	<input checked="" type="checkbox"/> F/T Regular	<input type="checkbox"/> Temporary		
	<input checked="" type="checkbox"/> Non Exempt	<input type="checkbox"/> P/T Regular			
NEW STATUS	Job Title	Grade	Department	Location	Reports To:
	<input type="checkbox"/> Exempt	<input type="checkbox"/> F/T Regular	<input type="checkbox"/> Temporary		
	<input type="checkbox"/> Non Exempt	<input type="checkbox"/> P/T Regular			

Salary Adjustment			
Current Salary Range			
Minimum	Midpoint	Maximum	
Current Salary (or Salary for New Employee)	Amount of Change	Percentage	New Salary
Per Month \$ _____	Per Month \$ _____	Merit _____%	Per Month \$ _____
Per Year \$ _____	Per Year \$ _____	Promotional _____%	Per Year \$ _____
Hourly (if Applicable) \$ <u>11.62</u>	Hourly (if Applicable) \$ _____		Hourly (if Applicable) \$ <u>11.90</u>

Termination		Reason for Separation	Last Day Worked
<input type="checkbox"/> Voluntary			
<input type="checkbox"/> Involuntary			

Comments <u>Pay for Skill - Level 4</u>			
---	--	--	--

Approval:		
Requesting Department Manager/Date	Department Head/Date	Corporate Officer/Date

Human Resources Use Only - Do Not Complete This Section

Social Security No.	Job Number	EEO Code - Job Group	Census Code	Department Name
Company # / Floor #	Source Code	W/C Code	Rate Code	Job Posting #
			H <input type="checkbox"/> M <input type="checkbox"/>	Replaced
Separation Pay <input type="checkbox"/> Y <input type="checkbox"/> N	Vacation Pay <input type="checkbox"/> Y <input type="checkbox"/> N	Term Code	Last Day Paid	Payroll Entry Date
<u>Payroll Entry 5/10/06</u>				
H.R. Manager Approvals/ Date	Compensation Analyst/Date	H.R. Data Specialist/Date		

FH000013

EXHIBIT O



TO: ALL EMPLOYEES OF RALCORP HOLDINGS, INC.

POLICY AGAINST HARASSMENT

Ralcorp Holdings, Inc. and its subsidiaries and affiliates seek to maintain high standards of business by creating and maintaining a work environment that is free from unlawful harassment. It is Ralcorp's policy that harassment on the basis of any legally protected category is prohibited. Any harassment based on race, creed, color, religion, national origin, ancestry, age, sex, sexual orientation, veteran status or a physical or mental disability is a violation of Company policy. All persons conducting business for the Company, whether on or off Company property, are prohibited from engaging in harassment and shall respect the rights of others to work in an environment free from harassment. This includes employees, officers, managers, supervisors, contractors and vendors of the Company. Additionally, officers, managers and supervisors are responsible for enforcing this policy and for maintaining a workplace free from unlawful harassment.

Prohibited harassment is conduct relating to an individual's race, religion, color, age, sex, sexual orientation, national origin, ancestry, veteran status or status as an individual with a disability, that has the purpose or effect of:

- * creating an intimidating, hostile, or offensive work environment;
- * unreasonably interfering with an individual in work performance;
- * adversely affecting an individual's employment opportunity.

In addition to the above, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and conduct of a sexual nature when:


- * submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
- * submission to or rejection of such conduct is the basis for or a factor in any employment decision affecting the individual.

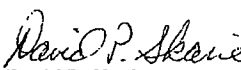
Examples of inappropriate conduct/harassment include:

- * Verbal harassment - such as epithets, derogatory or suggestive comments, demeaning jokes, slurs, threats, etc.
- * Physical harassment - such as assault, unnecessary touching, impeding or blocking movement, physical interference with normal work or movement, etc.
- * Visual harassment - such as derogatory or demeaning pictures, posters, cards, cartoons, graffiti, gestures, etc.

Any officer, manager or supervisor who becomes aware of unlawful harassment or inappropriate behavior must take immediate corrective action. In addition, they should consult with their Human Resources Department when investigating harassment claims of any kind.

Any employee who has a complaint, question or concern regarding any type of unlawful discrimination or harassment is encouraged to bring it to the attention of their immediate supervisor, their local Human Resources representative, their local Equal Employment Coordinator or Ralcorp's St. Louis Equal Employment Opportunity Manager. Employees may also utilize the toll-free confidential reporting hotline to report harassment complaints. All concerns and complaints will be thoroughly reviewed and investigated in a timely manner. Every effort will be made to conduct the investigation on a confidential basis, with disclosure made only where there is need to know. Any prohibited harassing behavior will result in disciplinary action up to and including termination of employment. Retaliation or reprisal against persons who report harassment or cooperate or assist in the investigation of a complaint of harassment is also prohibited by this policy. Persons engaging in such behavior will be subject to disciplinary action up to and including termination of employment.


 Kevin J. Hunt
 Co-Chief Executive Officer and
 President
 January 2005


 David P. Skarie
 Co-Chief Executive Officer and
 President



TO: ALL EMPLOYEES OF RALCORP HOLDINGS, INC.

POLICY AGAINST HARASSMENT

Ralcorp Holdings, Inc. and its subsidiaries and affiliates seek to maintain high standards of business by creating and maintaining a work environment that is free from unlawful harassment. It is Ralcorp's policy that harassment on the basis of any legally protected category is prohibited. Any harassment based on race, creed, color, religion, national origin, ancestry, age, sex, sexual orientation, veteran status or a physical or mental disability is a violation of Company policy. All persons conducting business for the Company, whether on or off Company property, are prohibited from engaging in harassment and shall respect the rights of others to work in an environment free from harassment. This includes employees, officers, managers, supervisors, contractors and vendors of the Company. Additionally, officers, managers and supervisors are responsible for enforcing this policy and for maintaining a workplace free from unlawful harassment.

Prohibited harassment is conduct relating to an individual's race, religion, color, age, sex, sexual orientation, national origin, ancestry, veteran status or status as an individual with a disability, that has a purpose or effect of:

- * creating an intimidating, hostile, or offensive work environment;
- * unreasonably interfering with an individual in work performance;
- * adversely affecting an individual's employment opportunity.

In addition to the above, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and conduct of a sexual nature when:


- * submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
- * submission to or rejection of such conduct is the basis for or a factor in any employer decision affecting the individual.


Examples of inappropriate conduct/harassment include:

- * Verbal harassment - such as epithets, derogatory or suggestive comments, demeaning jokes, slurs, threats, etc.
- * Physical harassment - such as assault, unnecessary touching, impeding or blocking movement, physical interference with normal work or movement, etc.
- * Visual harassment - such as derogatory or demeaning pictures, posters, cards, cartoons, graffiti, gestures, etc.

Any officer, manager or supervisor who becomes aware of unlawful harassment or inappropriate behavior must take immediate corrective action. In addition, they should consult with their Human Resources Department when investigating harassment claims of any kind.

Any employee who has a complaint, question or concern regarding any type of unlawful discrimination or harassment is encouraged to bring it to the attention of their immediate supervisor, their local Human Resources representative, their local Equal Employment Coordinator or Ralcorp's St. Louis Equal Employment Opportunity Manager. Employees may also utilize the toll-free confidential reporting hotline to report harassment complaints. All concerns and complaints will be thoroughly reviewed and investigated in a timely manner. Every effort will be made to conduct the investigation on a confidential basis, with disclosure made only where there is need to know. Any prohibited harassing behavior that results in disciplinary action up to and including termination of employment. Retaliation or reprisal against persons who report harassment or cooperate or assist in the investigation of a complaint of harassment is also prohibited by this policy. Persons engaging in such behavior will be subject to disciplinary action up to and including termination of employment.


 Kevin J. Hunt
 Co-Chief Executive Officer and
 President
 January 2004


 David P. Skarie
 Co-Chief Executive Officer and
 President